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DR. H. C. LEA ON THE CAUSES OF THE REFORMATION.

THE late Lord Acton,¹ Regius Professor of History in the University of Cambridge, whose unusual gifts and range of knowledge were recognized not only in his own country, but throughout Europe, had projected some time before his death an important work on modern history. The scheme was to be carried out by a number of scholars working in collaboration, and it was hoped that by this division of labor each period and movement might be dealt with by a man who was practically a specialist in the subject which was allotted to him. Unfortunately ill health compelled Lord Acton to resign the labors of editorship before much more had been done than to map out the sections into which the undertaking was to be divided. The work however was carried on by others, and now with commendable promptitude we have before us the first instalment of the twelve volumes, in which it is hoped that the political, religious, and social history of the last four centuries will eventually be set forth. I am not in any way proposing

¹ It may be of interest to some of my readers to mention that Lord Acton who was brought up a Catholic died in communion with the Church. Indeed for some years before his death at Cambridge, his figure was familiar at Sunday Mass. It is well known that at the time of the Vatican Council and afterwards his attitude gave much uneasiness to his Catholic friends. He was an intimate friend of Dr. Döllinger, and was commonly believed to be connected with the authorship of the letters to the *Kölnische Volkszeitung*, which appeared under the name of "Quirinus."

to review this volume of the *Cambridge Modern History* as a whole, but before passing further it will not be out of place to express my sense of the general excellence of the work that has been done. The majority of the contributors are men whose names are well known in the world of letters, and most of them are treating of subjects which they have made specially their own. It is remarkable to note how little the reader's taste is offended by glaring diversities of style, though the exclusion of all footnotes may perhaps account largely for this pervading sense of uniformity. At the same time the book is not heavy to read nor are the facts painfully compressed. What is specially attractive to the Catholic student is the moderate and judicial tone upon many thorny questions which is almost everywhere recognizable. No doubt the volume here and there contains statements which most of us would find a difficulty in accepting without qualification; but one feels in almost every case that the writer is expressing what he believes to be the truth, that he would be quite prepared to discuss the matter in a friendly spirit, and that he is not seizing the opportunity to ride to death some political or religious hobby with which he happens to be indoctrinated. No sensible Catholic could be angered, though he may possibly be pained, by Dr. Richard Garnett's very temperate chapter on "The Temporal Power." No Agnostic or Wesleyan, who is not a bigot, will, I am sure, refuse to commend the even-handed justice which Dr. William Barry metes out to friend and foe alike, in the section devoted to "Catholic Europe."

In this very harmonious concert of moderation and good sense, there is unfortunately one discordant note. The last chapter, a specially important chapter, has been entrusted to a writer whose whole tone of thought, as his published works abundantly prove, is in conflict with that temperate and judicial spirit which is elsewhere conspicuous. The author of the *History of Celibacy*, which, I need not remark, is a history of all that is very much the contrary, is by nature a special pleader. He loves to denounce and to overwhelm, to heap up example upon example, mixing up things that are important with things that are trivial, general laws with isolated exceptions, exaggerating every point that can be construed in his favor and slurring over all evidence that tells the other way. If reserves have sometimes to be made they are so introduced that a careless reader will take them to be only another count in the indictment, for the breathless tirade never seems to pause, and Dr. Lea has a way of narrating a fact completely destructive of his previous argument, with a grand air which seems to imply that it is quite the keystone of his logical arch. A more unsuitable contributor to write upon so delicate a topic as the causes which brought about the

great religious upheaval of the sixteenth century it would have been difficult to find, and I venture to say that this chapter on "The Eve of the Reformation"² is a serious blot upon a work for which one would otherwise have had nothing but praise. Appearing however as he does in such distinguished company Dr. Lea's utterances acquire an importance which would not attach to them if they were read within the covers of the *History of Celibacy* or his treatise on Superstition. For that reason I propose to select some passages for examination here, not indeed because I think that the refutation of this or that individual error will redress the balance, but rather with the view of showing how utterly unfit so untrustworthy a writer has proved himself for the delicate task allotted to him.

Let it not be supposed that I wish to underrate Dr. Lea's merits as a most industrious collector of facts—and fictions. Even more, I may readily admit that he has done a service to historical truth in calling attention to abuses which Catholic writers have been too prone to ignore. It is quite possible also that Dr. Lea if one met him in private life would show nothing of the violence, the contemptuous impatience of all judgments more lenient than his own which characterizes his utterances in print. But in his published writings he has long since proved himself a reckless partisan devoid of all sense of moderation and responsibility, and I venture to say that these defects are nowhere more conspicuous than in his recent contribution to the *Cambridge Modern History*. Let the reader judge from what follows whether this charge is made without sufficient ground. We will begin with a passage, for the length of which I apologize, but which would suffer if quoted in a mutilated form. After speaking of the papal pretensions in the matter of interdicts and excommunications, Dr. Lea goes on:

This was not the only manner in which the papacy interfered with secular justice, for, towards the end of the fifteenth century, the papal jurisdiction spread its aegis over the crimes of the laity as well as of the clergy. Since the early thirteenth century the papal Penitentiary had been accustomed to administer absolution, in the forum of conscience, to all applicants. In the fourteenth, this came to be a source of profit to the Curia by reason of the graduated scale of fees demanded and the imposition of so-called pecuniary penance by which the sinner purchased pardon of his sins. When the Castilian Inquisition began its operation in 1481, the New Christians, as the Jewish converts were called, hurried in crowds to Rome where they had

² Dr. Lea has apparently not made acquaintance, as he might very profitably have done, with the book of Abbot Gasquet, which also bears the title *The Eve of the Reformation*. If he had read this, he would presumably not have fallen into the vulgar error, which Abbot Gasquet has there so thoroughly exploded, of supposing that when men spoke of "the new learning" they meant the classical culture of the humanists. To the Englishman of the days of More and Erasmus, "the new learning" signified nothing more nor less than the heretical doctrines of the early reformers. This is only one trifling indication among many that Dr. Lea with all his parade of erudition is in reality very imperfectly acquainted with the literature of the period he is writing about.

no difficulty in obtaining from the Penitentiary absolution for whatever heretical crimes they might have committed; and they then claimed that this exempted them from subsequent inquisitorial prosecution. Even those who had been condemned were able to procure for a consideration letters setting aside the sentence and rehabilitating them. It was no part of the policy of Ferdinand and Isabel to allow impunity to be thus easily gained by the apostates or to forego the abundant confiscations flowing into the royal treasury, and therefore they refused to admit that such papal briefs were valid without the royal approval.

Even at the risk of a notable digression I cannot refrain from interrupting Dr. Lea in full career in order to draw attention to this characteristic example of his methods. The charges in this paragraph are all strung together in a series as if they were so many examples of the attempts made by the Papacy to interfere with the administration of justice and social order. And yet it would only need a touch of the brush to present, and more truthfully, this leniency of the Roman Penitenciaria as the protest of humanity and equity against the unexampled severities of the Spanish Inquisition.³ However for the moment Dr. Lea's sympathies are enlisted in the cause of national institutions, and it seems to him an intolerable interference with liberty that the Spanish Inquisitors should not have been allowed to skin their own Jews in the way that best pleased them. Strange to say also Dr. Lea is illustrating here how "the papacy interfered with *secular justice*" and "spread its aegis over the crimes of the laity as well as of the clergy." Now what were those "crimes" of the New Christians of which the Pope so arrogantly presumed to take cognizance? That a man was the son or grandson of a relapsed heretic who had been penanced by the Inquisition; that he had neglected to attend Mass; that he had used defamatory words of ecclesiastics or of the mysteries of the holy faith. If these things did not belong to the jurisdiction of the Vicar of Christ, the supreme judge in spiritual causes, as all Christians then allowed, what matters, we should like to ask, did legitimately fall within his province? But let us allow Dr. Lea to finish his indictment:

Sistus on his part, (he goes on), was not content to lose the lucrative business arising from Spanish intolerance, and in 1484 by the constitution *Quoniam nonnulli* he refuted the assertion that his briefs were valid only in the *forum conscientiae* and not in the *forum contentiosum* and ordered them to

³ This is in fact the view of Mr. H. Butler Clarke who writes of Spain *ex professo* in the same volume. He says for instance (p. 359): "Under the presidency of Torquemada (1482-1494) the Inquisition distinguished itself by the startling severity of its cruel and humiliating *autos* and reconciliations. Sistus IV. made several attempts (1482-83) to check the deadly work, but was obliged by pressure from Spain to deny the right of appeal to himself. The Inquisitors were appointed by the crown which profited by their ruthless confiscations." And again (p. 356): "The Inquisition was an ecclesiastical instrument in the hands of the civil power, and when in 1497 the Pope abandoned the right of hearing appeals, this power became supreme."

be received as absolute authority in all courts, secular as well as ecclesiastical. This was asserting an appellate jurisdiction over all the criminal tribunals of Christendom, and, through the notorious venality of the Curia, where these letters of absolution could always be had for a price, it was a serious blow to the administration of justice everywhere. Not content with this, the power was delegated to the peripatetic vendors of indulgences, who thus carried impunity for crime to every man's door. The St. Peter's indulgences, sold by Tetzel and his colleagues, were of this character, and not only released the purchasers from all spiritual penalties but forbade all secular or criminal prosecution. These monstrous pretensions were reiterated by Paul III. in 1549 and by Julius III. in 1550. It was impossible for secular rulers tamely to submit to this sale of impunity for crime. In Spain the struggle against it continued with equal obstinacy on each side, and it was fortunate that the Reformation came to prevent the Holy See from rendering all justice, human and divine, a commodity to be sold in open market.⁴

Perhaps the first reflection which occurs to the mind after reading this terrific onslaught is that upon Dr. Lea's showing the early reformers must have played their cards very badly. Here was *indeed* a grievance. Something to rouse the just indignation of every temporal ruler in Christendom! And yet, strange to say, Luther and his followers are absolutely silent on this head! Can Dr. Lea really suppose that if such "monstrous pretensions" (I gladly endorse the phrase) were made by the popes, there would not have been protests by the thousand from every municipality, from every local magistrate, within whose jurisdiction the commissioners of indulgence had presented themselves? It would have been the burning question of the hour. When men were agitating and denouncing papal corruption in every quarter, is it not astounding that we hear so little of an intolerable abuse like this? Let us pass over for the present the question of the penitentiary fees which would claim an article to itself;⁵ and keep to the matter of interference with secular criminal justice. Our author refers to a certain definite constitution, *Quoniam nonnulli*, of Sixtus IV., which is to be found in the *Bullarium*, and to others which confirm it. Here at least we have an opportunity of putting his vague generalities to a practical test. Let us see what the constitution says.

The Bull *Quoniam nonnulli* is a perfectly straightforward document which is headed in the *Bullarium* quite accurately: "De auctoritate majoris Penitentiarii S. R. Ecclesiae." On the authority of the Grand Penitentiary of the Holy Roman Church, it has nothing strictly speaking to do with Spain in particular, but it complains

⁴ Pp. 661-662.

⁵ Dr. Lea has dealt with this matter at length in his book *A Formulary of the Papal Penitentiary* (1892) and in an article in the *English Historical Review* for 1893. I do not hesitate to say that both the one and the other are based upon a gross misapprehension of the simplest and most fundamental conceptions of the subject. Dr. Lea understands as little of Canon Law in general and the workings of the Penitentiary in particular as the average Frenchman does of the procedure of the English House of Commons; but his critics unfortunately know less than himself, and when he dogmatises they accept him at his own valuation. I shall hope to make these assertions good in some future article.

that letters of the Apostolic Penitentiary have, under various pretexts, been rejected by certain *juris interpretes* as not possessing full papal authority. These canonists have falsely maintained that such letters were valid only in the *forum conscientiae* and not in *foro contentioso*, and also that though the Penitentiary might possess such authority himself, he could not delegate it to others. Under these circumstances the Pope decrees that such authority to absolve *may* be delegated, and he goes on to declare that the letters of the Penitentiary, when duly authenticated by certain forms, which he specifies, are to be received as of full authority in the tribunal of penance and in the courts both ecclesiastical and secular.⁶

Dr. Lea assumes because the secular court is mentioned that there was a deep-laid scheme to interfere with criminal justice. This is simply a gratuitous assumption. To prove it definite instances would be required, and even then not an isolated case or two but a series of instances. Of themselves the words have a perfectly intelligible signification. Let us take an example. A monk runs away from his monastery, casts off his habit and goes back to the world. He becomes thereby what was technically called an "apostate," which not only would have subjected him, if caught, to many kinds of penalties in the ecclesiastical tribunals, but would have debarred him from all legal rights if he were to appear as suitor in the secular courts. After a while he repents, and going to Rome, obtains absolution through the apostolic penitentiary both in the internal and the external forum. Now the Bull in question pronounces that this absolution, if in proper form, not only reconciles the offender with God in conscience, but is to be held valid in the ecclesiastical and secular courts as well. That is to say that the penitent monk or judaizing convert is not only formally reinstated in the eyes of the Church, but he is no longer to be subject to the civil disabilities entailed by his ecclesiastical offense. It would have been intolerable if the unfortunate man, though fully reconciled in

⁶ "Tam in *foro judiciali* et *contentioso*, Ecclesiastico et seculari, quam etiam in *foro penitentiae* omnimodam fidem faciant." *Bullarium*, i., p. 428. The Bulls of Paul III. and Julius III. confirming this refer to the matter thus: "Et nihilominus potiori pro cautela *praemissa* omnia et singula, prout per eundem Sextum *Praedecessorem* declarata fuerant eisdem modo ac forma . . . decretit (Papa) . . . Ranuntii et pro tempore existentis Majoris Penitentiarii *praefati*, juxta *stylum* *praedictum* *expeditas literas*, quae *clausae* et *confessoribus* *directae*, in *foro conscientiae* *tantum*, quae vero *apertae* et *sigillo* *praedicto*, ut *praefertur*, *pendenti*, *expeditae* fuerant et in *posterus* *expedirentur* nisi in eis *verba* in *foro conscientiae* *tantum* *apposita* essent, in *utroque*, tam *penitentiali* quam *judiciali* et *contentioso* *foro*, *intelligi* et *interpretari*, ac illis *quibus* pro *tempore* *concederentur* *suffragari*." Julius III.'s Bull, *Rationi congruit* headed "De auctoritate et potestate summi penitentiarii." 1550. Cherubini, *Bullarium* (1727), i., p. 786.

both *fora* so far as the Church was concerned, was still to be treated by the secular courts as an outlaw. The case, after all, is very similar to that which arises in regard to the legal judgments pronounced in one country and pleaded in another country. I understand that by the constitution of the United States "it is declared that full faith and credit shall be given in each state of the Union to the public acts, records, and judicial proceedings of every other state,"⁷ and speaking generally a similar rule of *comity* regarding foreign judgments obtains in the legal relations of different nations.⁸ Apart from some quite exceptional circumstances an Englishman who has been legally divorced from his wife in the state of Colorado and who marries again, will not be prosecuted for bigamy in England, even though the grounds upon which the divorce was obtained would not have sufficed for the purpose in the English courts. This does not imply that one country claims to exercise jurisdiction over the tribunals of another, but only that a judicial decision pronounced by one tribunal in matters within its competence is to be assumed, when it affects other tribunals, to have been equitably arrived at.

What Sixtus IV. demanded was simply the strictly logical outcome of the doctrine that the Pope in ecclesiastical matters was the "universal Ordinary." In such ecclesiastical causes he claimed that his writs should run throughout all Christendom. This at least was the mediæval theory, and it had long been the common teaching of jurists in every University of Europe.⁹ The briefs of the Penitentiary concerned ecclesiastical offenses only.¹⁰ If the brief were issued, as it sometimes was, in a form which implied absolution in the *forum externum*, then Sixtus claimed that the effect should be exactly the same as if the sentence had been delivered by the highest tribunal of the Court of Christianity. There is not a word in any of the bulls cited by Dr. Lea which would suggest that the Pope wished to interfere with the legitimate business of the secular and criminal tribunals. At the very utmost we may suppose—though even for this Dr. Lea cites neither facts nor authorities—that Sixtus may have had some idea of protecting the unfortunate victims of

⁷ Story, *Commentaries of the Conflict of Laws* (Ed. 1872), p. 754.

⁸ Phillimore, *International Law* (3d Ed.), vol. iv., p. 739.

⁹ See Professor Maitland's *Roman Canon Law in the Church of England* in the chapter on the "Universal Ordinary."

¹⁰ No doubt various offences appear in the tax tables which do not at first sight seem to have any ecclesiastical character, but either from the fact that the perpetrators were clerics, or because only absolution in the internal *forum* was sought, or because some sort of curse or excommunication was conceived to rest upon the perpetrators of the outrage, or for various other reasons, the ecclesiastical courts claimed jurisdiction. In a vast number of cases the penitentiaria being in doubt about the facts referred the applicant back to his Ordinary if he wished for absolution *in foro externo*.

the Spanish Inquisition from those wholesale confiscations in the civil courts which followed upon condemnation.

Moreover there is another serious difficulty. Hardly any modern writer is more strongly antipapal than Mr. Ulick Burke, whose *History of Spain* was published at the expense of Trinity College, Dublin, and is redolent of the intolerant atmosphere of that fortress of Protestantism. Still Mr. Burke writes of the years 1482-3:

This critical state of things was rendered all the more dangerous by the opposition against the Inquisition having extended to Rome itself. The Pope modified the Bull which he had given, deposed the most cruel among the Inquisitors, and ordered that an appeal to Rome should in all cases be permitted. Ferdinand responded by sending the Pope a minatory letter. The Pope was intimidated. On the 3d of August, 1483, he wrote that he intended to reconsider his last resolution in favor of the heretics, and until then he would leave the matter in suspense. Suspense under the circumstances was the equivalent of the victory of the Catholic Kings.¹¹

A similar statement, already quoted in a footnote, is also made by Mr. Butler Clarke in the *Cambridge Modern History* itself. According to Mr. Bergenroth, moreover, when papal remissions still continued to be obtained, Ferdinand "promulgated an ordinance stating that in the Kingdoms of Arragon and Valentia any person, whether ecclesiastical or secular, and without any distinction of class or sex, who should make use of a papal brief, should be put to death on the spot." And yet, if we are to believe Dr. Lea, the intimidated pontiff took this very opportunity to go far beyond the pretensions of his predecessors, and by his Bull *Quoniam nonnulli* in March, 1484, he is said to have laid claim to "an appellate jurisdiction over all the criminal tribunals of Christendom." Personally I am not satisfied that Sixtus IV. was intimidated to the extent that Mr. Burke, and Mr. Clarke and Mr. Bergenroth suppose, but one is surely justified in asking Dr. Lea to explain how he squares his theory with this, the accepted view,¹² and how the terror-stricken Pope only a few months later came to make claims of jurisdiction more extravagant than had ever been advanced before. If the Bull *Quoniam nonnulli* means what Dr. Lea says it means, it was an outrageous act of defiance hurled in the teeth of their Catholic Majesties and of all the sovereigns of Europe.

The fact is, as already said, that Dr. Lea ignores the secular disabilities and penalties incurred by so many of the misdemeanors for which the Roman Penitenciaria gave absolution. The *forum ecclesiasticum* and the *forum civile* were in many matters closely related

¹¹ Burke, *History of Spain*, Vol. II., p. 102. Though Mr. Burke uses no inverted commas it is rather amusing to find that this passage is taken word for word from Mr. Bergenroth's *Calendar of Spanish State Papers*, I., p. xliv.

¹² The same account is given by Benrath in the *Realencyclopädie für Protestantische Theologie*, 3d Ed., Vol. IX., p. 161. None of the authors referred to make the slightest allusion to the Bull *Quoniam nonnulli*.

and the status of a cleric who became "irregular" was affected in ways too numerous to dwell upon here. How deeply this idea had taken root in the legal conceptions of Europe and how long these views maintained their ground even after the Reformation had swept away the old Canon Law, is curiously illustrated by the case of Abbot, Archbishop of Canterbury, who in 1621, when hunting at Bramshill in Hampshire, accidentally shot a gamekeeper with a cross-bow. Though the Archbishop was deeply distressed, and condemned himself to a monthly fast for the rest of his life, besides settling a handsome pension upon the man's widow, the tide of public opinion set strongly against him. It was declared that he had incurred "irregularity" and was incapable of discharging spiritual functions, so that as a matter of fact three bishops-elect refused to receive consecration at his hands. But, what is most germane to our present issue, it was publicly maintained by Williams, the Bishop elect of Lincoln, that "*by the common law Abbot had forfeited his estate*," and it was thought fitting to grant him a formal pardon and dispensation, which was duly signed by King James I. If he had been an archbishop in the Roman Communion such an absolution would normally have been obtained through the *Penitenciaria*; and surely in such a case it would have been reasonable for the Pope to demand that his brief of absolution should be recognized not only in the ecclesiastical, but also in the civil courts. Why then should the simple mention of the "*foro contentioso ecclesiastico et saeculari*," in Sixtus IV.'s Bull be construed into a deep laid plot to undermine the administration of criminal justice throughout Europe?

The perversity of Dr. Lea's interpretation of the constitution *Quoniam nonnulli* only becomes more apparent when we enquire into the arguments by which he defends it. The Cambridge History does not admit footnotes, but in the *History of Auricular Confession*, Vol. III., where Dr. Lea expounds the same views in almost identical words, it was to be expected that the author would furnish a few references—the more so that in matters which no one dreams of disputing he loves to overwhelm us with authorities. However if we turn to the volume in question, we find besides a reference to the text of the Bull, nothing but the following remarkable piece of evidence:

St. Antonino (*Summa*, P. III., Tit. xiv., cap. 17., sec. 3) is careful to explain that a Bull of absolution does not relieve the offender from judicial jurisdiction. Evidently the claim must have been already put forward in his time.¹³

¹³ Lea, *History of Confession*, III., p. 402, note 2. St. Antoninus only says (he is speaking of the effects of the Sacrament of Penance): "Ultimo nota quod Penitentia non instituit impunitatem in foro contentioso, imo habens bullam de absolucione ab homicidio nihilominus suspenderetur; nec liberat ab irregularitate." On Dr. Lea's principles it would follow from this that

Moreover he quotes a sentence from Hemmerlin's treatise of the Jubilee (1450), in which the writer explains that though a man go to Rome in the Jubilee, confess a crime and be enjoined a severe penance for it, this cannot interfere with the right of the secular judge to punish him for the same crime in the ordinary course of the law. Neither S. Antoninus nor Hemmerlin states or implies that there was any dispute about the matter, but because they chance to mention that the absolution of the Roman Penitenciaria does *not* release a criminal from the punishment of his misdeeds Dr. Lea is convinced that the authorities of the papal curia must have been of a different opinion. We see consequently that the sole evidence he adduces in support of his view, is that two mediæval casuists explicitly say the contrary. A curious line of argument this from a writer who poses as an expert in these out-of-the-way fields of legal knowledge. Dr. Lea has not seemingly attempted to investigate the opinion of the casuists any further. Yet surely the question is an important one, and if the Roman court seriously laid it down as a sound principle in law that a papal absolution secured every murderer or swindler from further proceedings, there must, one would think, have been a good deal written about it in the law books. However Dr. Lea is perfectly satisfied, and he considers it unnecessary to quote a single instance in which any one did try to plead the absolution of the *Penitenciaria* as a bar to criminal prosecution, neither does he produce any state paper of any kind complaining that the punishment of outrages against life or property was being interfered with by papal briefs. We all know that there were constant protests, well founded, or otherwise, about the inadequate punishment inflicted by the Church courts upon criminous clerks, why should this new abuse, which touches upon a matter of principle, have alone been passed over in silence?

But, it may be objected, when Dr. Lea goes on to speak of "the peripatetic vendors of indulgences who brought impunity for crime to every man's door" he is prepared to quote definite facts. I gladly welcome the facts, which are supplied by three absolutions granted by Tetzel, the only three of this class known to be extant. Two of them are cases of involuntary homicide, a little girl killed by a stone thrown at a dog, a boy accidentally struck by his father with a knife which was being used to kill a pig.¹⁴ In both cases the perpetrators

because St. Antoninus denies that Sacramental Confession saves a man from the legal consequences of his crime, therefore "the claim must have been put forward in his time," that a man had only to go to confession to snap his fingers at the hangman.

¹⁴ When one reflects upon the ignorance of the first principles of surgery common in the middle ages, especially in rural districts, it is easy to understand how even a slight wound might have led to a child's death.

are stated to have come deplored their mischance with tears. They paid a sum of money towards the rebuilding of St. Peter's, and obtained from Tetzel a form of absolution which in general terms forbade that they should be further molested for this cause. It may be difficult for us now-a-days to understand how a quite involuntary act can have required absolution, but the case of Abbot just referred to shows how deeply-rooted was the mediæval idea; and no one interested in the by-paths of history will be unacquainted with the curious judgments executed with all forms of law, even upon animals which were accounted guilty of taking human life.¹⁵

The third case is that of a priest and his church-warden held responsible for the disappearance of the Blessed Sacrament from a tabernacle in which the priest averred that he had safely locked it the evening before. It was the priest himself who discovered the loss and deemed it necessary to obtain absolution. In all these cases it is obvious that the persons implicated had not been arrested; but Dr. Lea is shocked because the absolution was given "on the bare assertion of the so-called penitent." How he knows this he does not tell us,¹⁶ but he assumes that every assassin, every forger or incendiary, had only to present himself to Tetzel, to declare that it was all a mistake, paying a handsome contribution to the building-fund of St. Peter's, and forthwith without further enquiry he would receive a papal brief securing him from all future criminal proceedings. What Dr. Lea forgets is that the men who thus applied to Tetzel, believing as they did in the censures of the Church and in a future life, held such absolution to be necessary. They knew perfectly well that a brief obtained by false representations was worthless both in the *forum externum* and *internum*. The very reason why the nature of the act was specified with all possible minuteness was precisely to prevent such briefs being used to screen real crimes. If Matthias Menner, who killed the little girl, had not been throwing a stone at a dog as he alleged to Tetzel, but had deliberately cut her throat, the papal absolution containing the description of how the stone was thrown would not have protected the delinquent. It would have been treated as null and void, because obtained by a fraudulent misrepresentation of the facts. Once again I ask: if Dr. Lea's views of Tetzel's indulgence briefs are exact, where are

¹⁵ Readers of "Lucas Malet's" powerful novel *Sir George Calmady* will remember the execution of the horse which causes its master's death and which indirectly supplies the principal tragic *motif* of the story. The instinct of vindictive punishment lies deep in human nature.

¹⁶ It does not follow that no enquiries were made because the penitent's own statement is alone mentioned. That the terms of that statement should be adhered to, was itself a protection against abuses. The text of Tetzel's brief is given in full in Loescher's *Monumenta*. Compare also the appendix of Dr. N. Paulus, *Johann Tetzel, der Ablass Prediger*.

the protests? Does he suppose that the municipalities of these busy German townships would tamely submit to see notorious murderers and thieves snatched from justice by a pardoner's paper absolution?

I have spent some time upon this point because the charge made seems so peculiarly atrocious. Dr. Lea comes forward as a self-constituted expert in the highly technical science of Canon Law, and unhesitatingly assures the world that the Popes of the close of the Middle Ages were engaged in a deliberate conspiracy to undermine secular justice and to sell immunity for the grossest crimes. "You may take my word for it," Dr. Lea virtually says to his awe-struck Protestant readers, "I have mastered the Roman penitential system, and you may find it all set down in the papal Bulls in black and white not only once but repeatedly. If a man committed a murder he had only to pay money to the Pope's delegate, and thereupon he received a brief which secured him from all unpleasant consequences for the rest of his life."

No one wishes to deny the reality of the grave abuses which were rampant at the close of the Middle Ages, but Dr. Lea is not content to paint in the very blackest colors those which did exist; he invents others that are purely fictitious. Moreover he embellishes even these with a reckless inaccuracy of detail which would be incredible in such a volume were it not that the papal side is always unpopular, and that papal law is a subject about which critics avowedly know little and care less.

But let us now turn to a new illustration of Dr. Lea's bias and of his carelessness even in the simple narration of facts. His principle seems to be that the first pebble which comes to hand is good enough to fling at a Renaissance pope. The chapter abounds in examples, but here is one that will serve my present purpose. Discussing on page 655 the pretensions of the papacy and the unscrupulous use to which they were put Dr. Lea writes:

Julius II. in his strife with France, gave the finishing blow to the little kingdom of Navarre by excommunicating in 1511 those "children of perdition" Jean d'Albret and his wife Catherine, and empowering the first comer to seize their dominions—an act of piety for which the rapacious Ferdinand of Aragon had made all necessary preparations. In the bull of excommunication Julius formally asserted his plenary power granted by God over all nations and kingdoms.

Now it is interesting in the first place to compare this statement with what we find in another chapter of the same volume, that of Mr. Butler Clarke on the "Catholic Kings." This writer, as belonged to his allotted task, describes the events alluded to by Dr. Lea somewhat more in detail. He says:

Early in August (1512) Ferdinand renewed his promise to give up the kingdom of Navarre at the end of the war. His messenger was seized and imprisoned, and on the 21st of the month he published at Burgos the Bull *Pater (sic) ille celestis*, excommunicating all who resisted the holy

League and declaring their lands and honors forfeited to those who should seize them. Although Jean d'Albret and Catherine were not named, the Bull specially mentioned the Basques and Cantabrians, and dread of its threats brought about the surrender of the few places that still held out in upper Navarre. Ferdinand now threw off the mask and took the title of King of Navarre.

The difference of tone between the two contributors, especially if Dr. Lea's words are read in their context, is sufficiently apparent, but I would ask the reader to note in the first place the positive contradictions. Mr. Clarke says the bull was published in 1512; Dr. Lea in 1511. Mr. Clarke declares that Jean d'Albret and his consort were not named; Dr. Lea tells us that they were described as "those children of perdition" and formally dispossessed.

The question of date may seem trivial, but any one who knows the history of the controversy which has raged for three centuries over this famous bull will be aware that the time at which the bull was issued is a point of serious importance in the dispute. The year named by Dr. Lea, i. e., 1511, is upon every supposition certainly incorrect. But this is a minor matter as compared with the calm assumption that the bull *Exigit contumacia* which names Jean d'Albret and his queen and calls them "children of perdition" is an authentic document. For many hundred years, as above remarked, the genuineness of the bull has been fiercely contested and it was only upon the publication of M. Boissonnade's *Histoire de la Réunion de la Navarre à la Castile*¹⁷ (1893) that the question was practically cleared up. M. Boissonnade has ransacked the Spanish archives and has discovered nearly all the original papers. The fact is that there are two bulls. It is indeed quite true that a manifesto was issued by Pope Julius II. in 1512 (July 21st) against the partisans of the king of France, but this was the bull *Pastor ille coelestis*; which, as Mr. Clarke correctly states, does not excommunicate the King and Queen of Navarre *by name* and was a comparatively inoffensive document. So unsatisfactory was it from the point of view of the Spanish King Ferdinand, that he used all his efforts to commit the Holy See to something more decisive, and as a matter of fact there exists at Simancas another document *Exigit contumaciam* purporting to have been issued by Julius II. and dated February 18, 1513. This pronouncement, which is the only one to which Dr. Lea's description applies, is according to M. Boissonnade in all probability a forgery. M. Boissonnade gives his reasons in detail, and they seem most weighty. To begin with he tells us:

A la date où elle est rédigée, c'est à dire, le 18 février 1513, les relations entre Ferdinand et Jules II. étaient singulièrement altérées et refroidies, comme l'attestent tous les historiens; de plus le pape agonisait,¹⁸ singulier moment pour réunir les cardinaux et pour promulguer une bulle.

¹⁷ P. 356 seq. The full text of both bulls is printed in the same volume, pp. 636-640 and 645-650.

¹⁸ Julius died in the night between Feb. 20 and Feb. 21, 1513.

Moreover, the terms of the bull seem to M. Boissonnade highly suspicious. Confirmatory evidence is wanting and the only original now in existence can be proved with absolute certainty not to be the actual document sent to King Ferdinand, a document which only reached him several weeks after the pope's death, and which was full of gross clerical errors.

But whether a signature was or was not wrung from the dying pontiff, it would have been well to call to mind something of the expedients by which the Pope was originally induced to throw himself into the arms of the League, and to notice the genuine provocation that had been given to him by France. These are the terms in which the matter is referred to even by so unfriendly a writer as Bergenroth in his preface to the *Calendar of Spanish State Papers*.¹⁹ Needless to say that of all such details Dr. Lea thinks it unnecessary to give his readers any inkling.

In order to make the Pope act according to his wishes he (Ferdinand) betrayed to him in secret the whole scheme of King Louis, whilst he ordered his ambassador in Rome to show more zeal than ever in public for the interests of France. It is easy to understand what effect these privy communications couched in the most vivid language, produced on the excitable and irascible pope. When he learnt that he was not only to be robbed of all his states, but also to be deposed and kept a prisoner in a dungeon, he went, in spite of his age, over the snow-covered mountains to fight his enemies in person.

In fine, the whole incident is singularly ill chosen to serve as a palmary example of the extravagance of the Papal pretensions. The facts are wrapped in uncertainty, even putting things at their worst, and there are excuses to be made for the Pope's action of which not the slightest hint is given. When a writer allows himself the luxury of such unmeasured terms of denunciation as we find in the paper of Dr. Lea, he ought to be very sure that the evidence he does adduce is sound as far as it goes. But the writer whom we are criticizing exhibits throughout a preference for all that is most startling and preposterous. Of judicious criticism, or verification there is literally not a trace.

Only a few lines above the example which we have been discussing Dr. Lea supplies us with what he considers another damning instance of the shameless audacity of the pretensions of the Holy See.

In his extraordinary letter to Mahommad II., then in the full flush of his conquests, Pius II. tempted the Turk to embrace Christianity with the promise to appoint him Emperor of Greece and the East, so that what he had won by force he might enjoy with justice.²⁰

This time we need not travel for our commentary outside the pages of the volume itself. In the excellent chapter on "the Otto-

¹⁹ Vol. II., p. 38. Introduction.

²⁰ Cambridge Modern History, I., p. 655.

man Conquest" contributed by Professor Bury, who is, by the way, Lord Acton's successor in the chair of History at Cambridge, we find the following sentences :

It was about this time (1460) that Pope Pius indited a most curious letter to Mahommad, proposing that the Sultan should embrace Christianity, and become under the patronage of the Roman see, "Emperor of the Greeks and of the East." A little thing, he wrote, only a drop of water, will make you the greatest of mortals; be baptized, and without money, arms, or fleet, you will win the greatest lordship in Christendom. Had this chimerical proposal been seriously meant, it would argue in *Æneas* an almost incredibly fanciful and unpractical mind; but when we find that he himself composed Mahommad's answer, we may infer that the letter was composed as a rhetorical exercise never intended to be sent.²¹

Let us turn now to a passage more directly connected with literary criticism than with the facts of history. It will be seen that Dr. Lea's jaundiced imagination colors all he reads. The famous satire called the *Ship of Fools*, by Sebastian Brant, is a work accessible to everybody. The old English translation of the sixteenth century has been elaborately edited in modern times and there are many versions both in Latin and French. Here is what Dr. Lea says of this book :

There was no product of humanistic literature, however, which so aided in paving the way for the Reformation as the *Narrenschiff*, or Ship of Fools, the work of a layman, Sebastian Brant, chancellor (city clerk) of Strassburg. Countless editions and numerous translations of this work, printed at Basel in 1494, showed how exactly it responded to the popular tendencies, and how wide and lasting was its influence. One of the foremost preachers of the day, Geiler von Kaisersberg, used its several chapters or sections as texts for a series of sermons at Strassburg, in 1498, and the opinions of the poet lost none of their significance in the expositions of the preacher. The work forms a singularly instructive document for the intellectual and moral history of the period. Brant satirises all the follies and weaknesses of man; those of the clergy are of course included and, though no special attention is devoted to them, the manner in which they are handled shows how completely the priesthood had forfeited popular respect. But the important feature of the work is the deep moral earnestness which pervades its jest and satire; man is exhorted never to lose sight of his salvation and the future life is represented as the goal to which his efforts are to be directed. With all this, the Church is never referred to as the means through which the pardon of sin and the grace of God are to be attained; confession is alluded to in passing once or twice, but not the intercession of the Virgin and saints, and there is no intimation that the offices of the church are essential. The lesson is taught that man deals directly with God and is responsible to Him alone. Most significant is the remark that many a mass is celebrated which had better have been left unsung, for God does not accept a sacrifice sinfully offered in sin. Wisdom is the one thing for which man should strive—wisdom being obedience to God and a virtuous life, while the examples cited are almost exclusively drawn from classic paganism—Hercules, Pythagoras, Socrates, Plato, Penelope, Virgil—though the references to Scripture show adequate acquaintance with Holy Writ. As the embodiment of humanistic teaching, through which Germany, unlike Italy, aspired to moral elevation as well as to classical training, the *Narrenschiff* holds the highest place alike for comprehensiveness and effectiveness.

No more startling comment on this appreciation could perhaps be found than what we may read about the *Narrenschiff* on page 638 of the same volume; where it is stated that Sebastian Brant "published his widely-read and popular poem with intent to counteract the party of rebellion which was then rising. He defended the

²¹ Do, p. 78.

doctrine of the Immaculate Conception; and in the height of his satire he is careful to spare the priesthood."

But if Dr. Barry's testimony should seem open to suspicion as that of a Catholic ecclesiastic, I would refer the reader to the well known Protestant *Realencyclopädie*²² or to the Preface of Zarncke's standard edition of the *Narrenschiff*, in which last we may read such a criticism for instance as the following:

These men, viz., Geiler, Brant and Wimpheling, have been looked upon as precursors of the Reformation. But this is seen to be absolutely incorrect, when we consider their aims and the objects they had in view. Their whole life's work was directed to the support of the Catholic Hierarchy. Only minor abuses, a few excrescences that crop up from time to time, did they wish to see cut away.

How earnestly did not Geiler strive to make known all Catholic dogma, how near to irony comes his exposition of the doctrine of indulgences, his comparison of the overflowing fulness of grace in the Church of Christ with the waste basket of the leather cutters. And how seriously does not Brant contend not only for the main truths of Catholicism but also for the absolute authority of the Pope and his Supremacy over the Emperor.

It is a curious fact that in Dr. Lea's list of authorities for his special section, printed at the end of the Cambridge History, occurs the entry, "Brant, S. *Narrenschiff*, ed. F. Farnelle (sic), Leipzig, 1854." Now F. Zarncke's standard edition from which I have just quoted was published at Leipzig in 1854, and in spite of a thorough search in several bibliographies I have been unable to trace any edition by "Farnelle," or any similar name, either in 1854 or at any other date. There is consequently little doubt that by some negligence of the compositors the name Zarncke has been transformed into Farnelle.²⁴ Hence my last quotation is taken from the very edition of Brant which Dr. Lea himself cites as authoritative, though strange to say he is so unfamiliar with it as to have forgotten seemingly the name of the editor. It is this same editor who testifies that Brant's *Narrenschiff* is saturated with allusions to the Canon Law, though Dr. Lea declares it to be based entirely on "classic paganism" and the Bible. Much more might be said on the subject of Sebastian Brant,²⁵ but we must pass on.

Such reckless misrepresentations of questions of fact as we have just been considering seem to me sufficiently unworthy of a serious historian, but they can after all be investigated and refuted. Even

²² *Realencyclopädie für Protestantische Theologie*; (3d Edition) s. v. Brant.

²³ Zarncke, *Sebastian Brant's Narrenschiff*, Introduction, p. 19.

²⁴ The reader will notice that four letters are unchanged; Z appears as F, e as c, and k as ll.

²⁵ Nowhere are Brant's views more unmistakably indicated than in his *Carmina* published in 1500, six years after the *Narrenschiff*. He warmly, almost fiercely, defends the dogma of Immaculate Conception of our Blessed Lady; he has devised an arrangement of fifty sapphic stanzas for saying the Rosary; there is also a devout poem on the Blessed Sacrament, he details the Indulgences to be gained by looking on a picture of the Emblems of the Passion, and he celebrates in verse the glories of the relics of Aix la Chapelle.

more objectionable from many points of view are the sententious generalizations in which Dr. Lea indulges at intervals and which he sets down as maxims of profound wisdom that no well-read person would dream of disputing. Thus we read:

One of the most urgent symptoms of the necessity of a new order of things was the complete divorce between religion and morality.²⁶ A more than Judaic formalism of ceremonies had practically replaced the ethical values of Christianity.²⁷ They (the clergy) were clothed with virtually irresponsible power over their subjects, they were free from the restraints of secular law, and they were condemned to celibacy in times when no man was expected to be continent.²⁸

Dr. Lea, I may venture to remark, has set down among his authorities Dr. Janssen's *History of the German People*. Can he ever have read a line of it? That this work has its faults may be frankly allowed, but Dr. Janssen writing for Germany, with an extraordinary knowledge of detail, has at least made it clear that the Eve of the Reformation in Central Europe showed no "complete divorce between religion and morality," however great may have been the abuses of the times. Does Dr. Lea think that "the substitution of formalism for ethical Christianity" is exemplified in the lives of Colet, More, and Fisher, of Linacre, Grocyn, and Lupset, of Bishop Alcock, Fox or even Morton, of the Countess of Richmond or Queen Catherine of Arragon? Has he a fragment of evidence to show that there was any deep, much more, any universal corruption among the body of the English clergy who were the contemporaries of these men? When a few years later Henry VIII. sent round his commissioners to rake up all the scandal they could discover, as a justification for the proposed suppression of the religious houses, does Dr. Lea consider that the results were such as to warrant a wholesale indictment of celibacy as a hotbed of vice? Is there no "respect for ethical values" in the productions of Caxton's press? Is there nothing but formalism and priestcraft to be found in such a play as *Everyman*? I speak particularly of England because to the majority of Dr. Lea's readers England is likely to be better known than Europe in general; but with regard to the larger issue one may safely say that if Dr. Lea's sweeping conclusions are justified, then Dr. Barry's chapter on "Catholic Europe" ought never to have been admitted into the volume. It must be the concoction of an unprincipled falsifier of evidence. But I leave it to the penetration of even the most antipapal reader to decide which contribution, Dr. Lea's or Dr. Barry's, shows most signs of the calm judicial spirit befitting the historian.

Lastly there is one of Dr. Lea's axioms which seems to me so peculiarly fantastic as to deserve even at this stage a word of special

²⁶ P. 673.

²⁷ P. 674.

²⁸ *Ibid.*

notice. Speaking of Staupitz he declares that he was a mystic "strongly imbued with the views of the German mystics of the fourteenth century," and, he adds that "all mysticism is in its essence incompatible with sacerdotalism." It would be interesting to know how much Dr. Lea has read of the mystics of the fourteenth century, of Suso, Tauler, Ruysbroeck, Merswin and the rest, that he should speak so positively of their attitude towards sacerdotalism.²⁹ One mediaeval mystic who is not at quite so safe a distance from the general reader as Ruysbroeck or Gerson I would venture to commend to our historian's attention. Does he ever happen to have read the fourth book of the *Imitation of Christ*, and to have noted what Thomas a Kempis there says of the dignity of the priesthood?

And taking that treatise as a whole, a book produced, be it noted, less than a hundred years before the Reformation, would Dr. Lea claim it, I wonder, as illustrating the "substitution of a Judaic formalism for the ethical values of Christianity?" The idea is so preposterous that there is even a certain element of the ludicrous in the very suggestion. If ever in years to come some skilful satirist should give us another "New Lucian," I would respectfully submit that a dialogue between Dr. Henry Charles Lea and the author of the *Imitation*, on "the ethical values of Christianity" would afford promising material for a lively pen.

In the course of this paper I have only been able to touch upon a few points out of the many that offered themselves for notice. A wholly reckless and inaccurate writer like Dr. Lea enjoys a certain immunity from criticism, from the very fact that his misconceptions are so often too fundamental to be investigated in a few minutes or explained in a few lines. The limits of leisure and space preclude the discussion of more than a few choice specimens. But great as may be the industry of Dr. Lea, I believe his capacity for misconception and misrepresentation to be even greater, and the attempts that I have occasionally made to follow up his trail and compare his assertions with his sources, have always ended in a more deeply rooted distrust of every statement made by him. It would be a safe thing probably to say that in any ten consecutive pages ten palpable blunders may be unearthed. At any rate I should like to submit that estimate to the test of experiment. Would Dr. Lea, I wonder, be prepared to accept such a challenge, and to elect to stand or fall by the third volume of his *History of Auricular Confession and Indulgences* or his chapter on the causes of the Reformation in the *Cambridge Modern History*?

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²⁹ In the matter of Sacerdotalism I may recommend to Dr. Lea the perusal of Ruysbroeck's *Dat boec vanden gheesteliken Tabernacle*, especially the fifth part. But I am afraid that Dr. Lea only takes his views ready-made from Preger, and with his habitual exaggeration goes beyond him.

JAMES CLARENCE MANGAN.

SORROW and song were, perhaps, never so interwoven in the warp and woof of any human life as in that of the sweet but sad singer of his own and his country's woes whose centenary occurred in May. Yet he does not always strike a minor key, although in much of his writing there is a deep and depressing undertone of grief and gloom. In his prose and verse—for he wrote both with equal facility and felicity—there is an alternation of grave and gay; but his gaiety is somewhat forced and affected, does not come unbidden and spontaneously, gushing and sparkling from the well spring of a joyous spirit.

It is a pitiful story, the life history of this gifted Irish poet, one of the most brilliant of the brilliant galaxy of writers who, in the columns of the *Nation* newspaper, gave impassioned expression in words that breathe and thoughts that burn to the patriotic sentiment evoked in 1848 by the Young Ireland movement. Gavan Duffy—*ultimus Romanorum!*—says he was “essentially the poet of the *Nation*”—no small distinction when we call to mind the names and effusions of Duffy himself, Davis, Lady Wylde (“Speranza”), Brennan, Denis Florence McCarthy, Richard D’Alton Williams, Thomas D’Arcy Magee, Michael Joseph Barry, Denny Lane and others who created the literature of ’48, which, even at this distance of time, still has power to stir Irish hearts; although the Young Ireland of those days has long since grown into the Old Ireland of ours, and age, which brings the philosophic mind to poets and politicians, has cooled the fervor of many ardent spirits.

In one of his best known poems, “The Nameless One,” Mangan has epitomized his own pathetic biography:

Roll forth, my song, like the rushing river,
That sweeps along to the mighty sea;
God will inspire me while I deliver
My soul to thee.

Tell thou the world, when my bones lie whitening
Amid the last homes of youth and eld,
That there was once one whose veins ran lightning
No eye beheld.

Tell how his boyhood was one drear night hour,
How shone for him, through his grief and gloom,
No star of all Heaven sends to light our
Path to the tomb.

Roll on, my song, and to after ages
Tell how, disdaining all earth can give,
He would have taught men, from wisdom’s pages,
The way to live.

And tell how, trampled, derided, hated,
And worn by weakness, disease, and wrong,
He fled for shelter to God, who mated
His soul with song—

With song which always, sublime or vapid,
 Flowed like a rill in the morning beam;
 Perchance not deep, but intense and rapid—
 A mountain stream.

Tell how this Nameless, condemned for years long
 To herd with demons from hell beneath,
 Saw things that made him, with groans and tears, long
 For even death.

Go on and tell how, with genius wasted,
 Betrayed in friendship, befooled in love,¹
 With spirit shipwrecked and young hope blasted,
 He still, still strove.

Till spent with toil, dreeing death for others,
 And some whose hands should have wrought for him
 (If children live not for sires and mothers),
 His mind grew dim.

And he fell far through that pit abysmal,
 The gulf and grave of Maginn and Burns
 And pawned his soul for the devil's dismal
 Stock of returns—

But yet redeemed it in days of darkness,
 And shapes and signs of the final wrath,
 When death, in hideous and ghastly starkness,
 Stood on his path.

And tell how now, amid wreck and sorrow,
 And want and sickness, and houseless nights,
 He bides in calmness the silent morrow
 That no ray lights.

And lives he still, then? Yes, old and hoary
 At thirty-nine, from despair and woe,
 He lives enduring what future story
 Will never know.

Him grant a grave to, ye pitying noble,
 Deep in your bosoms. There let him dwell!
 He, too, had pity for all souls in trouble,
 Here and in hell!

¹ He alludes to his attachment to Miss Margaret Stackpoole, who, it is said, "jilted" him for a friend (?) whom he introduced to her—a commonplace incident enough, but which to one of his supersensitive nature became a source of real suffering. "I had loved," he says, "with all the intense fervor attributed only to the heroes of romance, and here was my requital!" Duffy gives a somewhat different version of this episode. "Shortly after our acquaintance commenced," he relates in his work "My life in Two Hemispheres," "he brought me to visit a County Clare family, Mrs. Stackpoole and her daughters living, I think, in Mount street. I found them agreeable and accomplished and repeated my visit several times, always with Mangan. One night, coming away, he suddenly stopped in the moonlit street and, laying his hands on my shoulders and looking into my face, demanded, 'Isn't it true that you are becoming attached to Margaret?'; and, finally, he said, 'I will save you from my fate by telling you a tragic story. When I knew Margaret first, I was greatly attracted by her charming manners and evident *esprit*. I talked to her of all I did and thought and hoped, and she listened as willingly to me as Desdemona to the Moor. I am not a self-confident man, far from it, and when I besought her to be my wife, I believed I was not asking in vain. What think you I heard? That she was already two years a wife and was living under her maiden name, till her husband returned from an adventure which he had undertaken to improve their fortune? 'You cannot think,' I said, 'that she deceived you intentionally, since you have not broken with her?' 'Ah!' he said, 'she has made my life desolate, but I cannot help returning like the moth to the flame.'"

"It is doubtful," the poet's best biographer² observes, whether in all literature despair and fatalism have ever spoken in such mournful, pitiable accents as in this poem." The allusion therein to Maginn and Burns gives the key to the enigma of a life not wholly wasted but which might have been lived to better purpose. Mangan was a victim or slave to opium and alcohol; yet it was not for the sake of mere sensual indulgence that he had recourse to these stimulants, but in the false and fleeting hope of dispelling a settled melancholy or blotting out sad memories by the aid of the exhilarating and enervating drug or the intoxicating draught. Early in life he suffered from chronic ill health and a nervous super-sensitive temperament, and, later, became a confirmed hypochondriac. In hypochondriasis, a physical malady, we find the origin of most of his woes, which, though greatly exaggerated by a morbid imagination, entailed lifelong suffering.

Like another Irish poet, Moore, he emerged into poetic celebrity from the prosaic precincts of a grocer's shop. It was over a grocer's shop, 3 Fishamble street, Dublin, that Mangan was born on May 1, 1803,³ the memorable year of Emmet's rebellion, if such a street *emeute* could be called a rebellion. It is still, if not exactly a grocer's shop, joined to one, but is known as 3 Lord Edward street, a new street evolved from the topographical changes which have taken place between Corkhill and Christchurch Place. The house in which Mangan was born formerly belonged to the family of the famous Irish antiquary, Archbishop Usher, and the Usher arms are still to be seen under the second floor windows. His father, James Mangan, originally a teacher from Shanagolden, County Limerick, married Miss Catherine Smith of Kiltale, the proprietress of the grocery at No. 3, which he carried on so successfully as to be able to retire from that business and speculate in house property. But his speculations were unsuccessful, his hospitality lavish to extravagance, his savings were lost, and, after eight failures to retrieve his broken fortunes, the result of improvidence, the burthen of contributing to the maintenance of the family mainly devolved upon the eldest son James who, in a fragment of autobiography written at the request of the late Father C. P. Meehan, draws a doleful picture of his early days spent in pinching poverty, toil, and tribulation at home and in the midst of repulsive and uncongenial associations outside. It is to this he alludes when, in the poem quoted, he speaks of his boyhood as "one drear night hour." The picture,

²The Life and Writings of James Clarence Mangan. By D. J. O'Donoghue. Edinburgh: Patrick Geddes & Co.

³ He was baptized the next day by the venerable Father Betagh in the old chapel in Rosemary lane, and given the name James, to which he afterwards added Clarence.

however, is overdrawn and overcolored; indeed, he frankly admitted to Father Meehan that part of it was purely imaginary and that he had dreamt it. As the whole narrative of his home-life with its sordid details reads like a romance—and some passages are in the style of De Quincey's *Confessions of an Opium-eater*—and remembering that the writer was himself addicted to the frequent use of that deleterious drug, the memoir is to be taken with more than the proverbial grain of salt. It would have been better, for the writer's sake, that it had never been published. There is enough of sombre reality in Mangan's unhappy life, without any of the imaginative or romantic overcoloring, in which he seems to have found a morbid pleasure, to point a moral if it does not adorn a tale. The tale is tear-compelling in its pathos, while the moral is so obvious as to need little or no pointing.

When he was seven years old he was placed in a famous school in Saul's Court off Fishamble street, begun in 1760 by the distinguished Jesuit, Father John Austin, and in which O'Keeffe, the dramatist, Archbishop Murray and several ecclesiastics in their boyhood received their early education. It was situated in a *cul-de-sac* which derived its name from Lawrence Saul, a wealthy Catholic distiller, driven by stress of the iniquitous penal laws to become a self-exile to France, where he died in October, 1768,⁴ the victim of English misrule. This school was afterwards carried on by Father Betagh, one of whose ushers, Michael Courtney, the nominal proprietor of the school, taught Mangan the first rudiments. His successor, Father Michael Blake, afterwards Bishop of Dromore, was struck by young Mangan's proficiency and placed him under the special guidance of Father Graham, a fine classical scholar, to whom he owed those linguistic attainments of which he subsequently made such good use in his inimitable translations. From Father Graham he acquired a knowledge of Latin, French, Italian and Spanish. Father Meehan says he never learnt Gaelic, Persian,

⁴ Lawrence Saul was prosecuted for having harbored a young lady named O'Toole, who had sought refuge in his house to avoid being compelled by her friends to conform to the Established Church. It was on the occasion of this trial that Lord Chancellor Bowes declared that the law did not presume that an Irish Papist existed in the kingdom. Advised by Charles O'Conor to summon a meeting of the Catholic Committee for the purpose of making a tender of their service and allegiance to Government, Saul replied: "Since there is not the least prospect of such a relaxation of the penal laws as would induce one Roman Catholic to tarry in this house of bondage, who can purchase a settlement in some other land, where freedom and security of property can be obtained, will you condemn me for saying that if I cannot be one of the first, I will not be one of the last, to take flight from a country, where I have not the least expectation of encouragement to enable me to carry on my manufactures to any considerable extent?"

Hindostani, Romaic and Coptic, and that his pretended translations from these idioms were the outcome of his all but Oriental imagination. But he made himself a thorough master of German. Long after Father Graham's death, Mangan often repeated for Father Meehan—the tears streaming from his eyes—the pathetic elegy in which the exiled Ovid tells his wife that the shells on the seashore were outnumbered by the sorrows he had to endure among the barbarous Scythians. "I never can forget," writes Father Meehan, "the broken and tender tones in which he used to read those mournful strophes, all the more so to him, because, as he told me, they were among the first in which Father Graham tested his proficiency, and also because they reflected his own trials and misfortunes—some of the former imaginary or exaggerated and most of the latter of his own making."

When his father's affairs became worse he had to be withdrawn from the more expensive school in Saul's Court and sent to one in Derby Square kept by Courtney, nearly opposite the church in Werburgh street in which Lord Edward Fitzgerald, the chivalrous but ill-fated Geraldine, is buried, and within sight of Mangan's birthplace. This, with a brief sojourn at a school taught by William Browne, in Chancery Lane, is all the schooling Mangan received. He was largely self-taught, and the wonderful proofs of wide-reading in several literatures which in later years he was able to exhibit were the result of many years of close and unhealthy confinement and absorption in books.⁵ He tells us himself that when at home he "sought refuge in books and solitude," shutting himself up in a close room and isolating himself in such a manner from his nearest relations that with one voice they pronounced him mad. "Perhaps I was," he adds. "This much at least is certain, that it was precisely at that period (from my tenth to my fourteenth year) that the seeds of moral insanity were developed within me."

Of his school days, he observes that he attended little to the mere technical instruction given, but rather tried to derive information from general study than from dry rules and special statements. He tells an anecdote to illustrate the condition of his moral and intellectual being at this epoch. It was the first day of his entrance into what he rather euphemistically terms, Mr. Courtney's Academy. "Twenty boys," he relates, "were arranged in a class; and to me, as the latest comer, was allotted the lowest place—a place with which I was perfectly contented. The question propounded by the schoolmaster was, 'What is a parenthesis?' But in vain did he test their philological capacities; one alone attempted some blundering explanation from the grammar; and finally to me, as the forlorn hope

⁵ *Life and Writings*, p. 8.

that might possibly save the credit of the school, was the query referred. 'Sir,' said I, 'I have only come into the school to-day, and I have not had time to look into the grammar; but I should suppose a parenthesis to be something included in a sentence, but which might be omitted from the sentence without injury to the meaning of the sentence.' 'Go up, sir,' exclaimed the schoolmaster, 'to the head of the class.' With an emotion of boyish pride I assumed the place allotted to me; but the next minute found me once more in my original position. 'Why do you go down again, sir?' asked the worthy pedagogue. 'Because, sir,' cried I, boldly, 'I have not deserved the head place; give it to this boy'—and I pointed to the lad who had all but succeeded—'he merits it better, because at least he has tried to study his task.' The schoolmaster smiled; he and the usher whispered together, and I was remanded to a seat apart. On the following day no fewer than three Roman Catholic clergymen, who visited the Academy, condescended to enter into conversation with me; and I very well recollect that one of them, after having heard me read 'Blair on the Death of Christ,' from 'Scott's Lessons,' clapped me on the back, with the exclamation, 'You'll be a rattling fellow, my boy; but see and take care of yourself.' Alas! poor Mangan, who in after years, to use the words of his own candid confession, "fell far through that pit abysmal, the gulf and grave of Maginn and Burns," forgot the good priest's prophetic premonition, sadly neglected taking care of himself and squandered his health, if not his genius, as improvident of the intellectual gifts with which God and nature had endowed him as his unlucky father was of the means he wasted on worthless investments.

In his early years he was passionately fond of declaiming, indulging in solitary rhapsodies and, not from the ordinary shyness of a home-bred youth, but from a morbid reserve, born of a latent pride in himself, shrinking from intercourse with others on the assumption that they were alien from his nature and unsympathetic. He was a dreamer of dreams and contact with the stern realities of life, instead of curing him of his dreaminess, only aggravated this mental malady. When, for instance, the *res angustæ domi*, the needs of an impoverished family, necessitated his becoming a wage-earner, his supersensitive nature recoiled from the associates among whom it threw him. "Taken from my books," he says, "obliged to relinquish my solitary rambles and musings, and compelled for the miserable pittance of a few shillings weekly to herd with the coarsest associates, and suffer at their hands every sort of rudeness and indignity which their uncultivated and savage natures prompted them to inflict upon me."

He was first apprenticed to the scrivenry in 1818 in an office in

York street, Stephen's Green, carried on by the Rev. Richard Kenrick for the benefit of the widow and children of his brother, Thomas Kenrick. One of the sons of the latter had just left the office in order to study for the priesthood, and his brother was still employed there during Mangan's apprenticeship. It is a remarkable fact, notes Mr. D. J. O'Donoghue,⁶ that both those brothers became Catholic Archbishops, and were respectively the late Most Rev. Francis Patrick and Peter Richard Kenrick, Archbishops of Baltimore and St. Louis. That Mangan's conduct was unexceptionable at this time we have the testimony of the Archbishop P. R. Kenrick, who wrote as follows from St. Louis on October 19, 1887, to Mr. John McCall, Dublin: "I knew James Mangan for several years very intimately, and highly esteemed him for his talents and virtue. My brother, the late Archbishop of Baltimore, never had any knowledge of him. After my father's death, in 1817, his office was continued for some years, in which both Mangan and myself were engaged." The business being discontinued in 1825, he entered the office of a Mr. Franks in Merrion Square and subsequently that of Mr. Leland in Fitzwilliam Square and his successor, Mr. Murphy.

"He had hardly set out on life's journey," observes Father Meehan, "when he discovered that he had fallen into the society of grovelling companions who flouted the temperate cup and made him ever afterwards an irresolute victim to alcohol."⁷ This must have been after he left Kenrick's; and this, and not his father's improvidence or harshness, was the fountain and origin of nearly all his misfortunes, as it has been of many others of his countrymen. The first intoxicating draught was really the first downward step towards "the pit abysmal;" it was the little rift within the lute which by and bye made mute the music of a soul "mated to song" and finally silenced all in a premature death. But it was not the quantity he drank so much as the fatal effect of the fiery liquid upon him which made him so early fall a victim to the drink evil. "This one passion," says Father Meehan, "claimed him exclusively for its own, rendering him misanthropical and eccentric, for the smallest amount of spirit seriously affected his finely strung nerves and delicate fibre."

It must be recorded to his credit that he made more than one effort, though fitful and ineffectual, to cure himself of the drink habit. Now and again he would reappear after an interval of absence almost completely restored to sobriety and a regular mode of life, to the joy of his numerous friends. The marvellous moral revolution wrought by the great temperance crusade preached by the illustrious Irish Capuchin, Father Theobald Mathew, impressed him so much that for whole months he would avoid the use of alcohol. In one of

⁷ Biographical sketch prefixed to "The Poets and Poetry of Munster."

his temperate intervals at this period he formally abjured (in verse, Mr. O'Donoghue parenthetically interjects) his excessive indulgence in stimulants. The abjuration is entitled "The Coming Event," and runs thus:

Curtain the lamp and bury the bowl,
The ban is on drinking.
Reason shall reign the queen of the soul
When the spirits are sinking.
Chained is the demon that smote with blight
Men's morals and laurels.
Then hail to health and a long good night
To old wine and new quarrels!

Nights shall descend and no taverns ring
To the roar of our revels;
Mornings shall dawn, but none of them bring
White lips and blue devils.
Riot and frenzy sleep with remorse
In the obsolete potion,
And mind grows calm as a ship on her course
O'er the level of ocean.

So should it be! for man's world of romance
Is fast disappearing,
And shadows of changes are seen in advance,
When epochs are nearing.
And the days are at hand when the best shall require
All means of salvation;
And the souls of men shall be tried in the fire
Of the final probation!

And the witling no longer or sneers or smiles—
And the worldling dissembles,
And the black-hearted skeptic feels anxious at whiles
And marvels and trembles.
And fear and defiance are blent in the jest
Of the blind self-deceiver;
But hope bounds high in the joyous breast
Of the child-like believer.

Darken the lamp, then, and shatter the bowl,
Ye faithfullest-hearted!
And as your swift years travel on to the goal
Whither worlds have departed,
Spend labor, life, soul in your zeal to atone
For the past and its errors;
So best shall ye bear to encounter alone
The event and its terrors!

A similar revulsion of feeling against inebriety found expression in a poem he sent to a friend after a promise to "conquer his every social weakness:"

Farewell to the sparkling wine cup!
The brain-deceiving wine cup!
The cup that slays a thousand ways,
The soul-degrading wine cup!

Farewell to the revelling wine cup!
The flattering, fooling wine cup!
The cup that snares, that sinks and wears,
The fame-defiling wine cup!

Farewell to the tempting wine cup!
The danger-scoffing wine cup!
An upas tree, my land, to thee,
Is the baneful, stainful wine cup!"

Though he had refused, previous to his acquaintance with Father Meehan, to take any temperance pledge, even when Father Mathew himself administered it outside the Church of SS. Michael and John to a large number of people in his presence, he did subsequently take it on several occasions, mainly through Father Meehan's earnest advice, but speedily broke it.⁸ In a letter to James McGlashan (the canny Scotch publisher⁹ who coined money out of the poor poet's brains) he writes: "I now propose, as far as possible, to retrieve the past. . . . That I might not be tempted to relapse into my old habits, I have renewed my vow of abstinence." Again: "I have now no longer the same motive for requesting money from you which, unfortunately, I too often had on former occasions. In other words, I am now and henceforth a water-drinker." He would voluntarily abstain, sometimes for weeks, from drink, though it was evident to all who knew him that he suffered agonies in the effort.¹⁰ O'Donovan says he broke the pledge four or five times.

The sternest moralist cannot but feel pity for one who erred more through feebleness of will than moral obliquity, as his efforts at amendment, candid confessions of weakness, and compunctionous visitings attest. In a letter to McGlashan he says: "I would entreat of you not to judge me over harshly for my great past lapses. Men see effects. It is for God alone to scrutinize causes. I leave myself in future to be tested by my acts, not my promises. A retributive eternity is rapidly coming upon me, and woe unto me now and forever if I fail to fulfil the mission allotted to me." In response to some verses by Joseph Brenan in the *Irishman*, appealing to him "to live his poetry and act his rhyme," he wrote:

Truly shonest thou me the one thing needful!
 Thou art not, nor is the world yet blind.
 Truly have I been long years unheeded
 Of the thorns and tares that choked the weedful
 Garden of my mind!
 Thorns and tares which rose in rank profusion
 Round my scanty fruitage and my flowers,
 Till I almost deemed it self-delusion
 Any attempt or glance at their extrusion
 From their midnight bowers.
 Oft, with tears, I have groaned to God for pity—
 Oft gone wandering till my way grew dim—
 Oft sung unto Him a prayerful ditty—
 Oft, all lonely in this thoughtful city,
 Raised my soul to Him!
 And from path to path His mercy tracked me—
 From many a peril snatched He me,
 When false friends pursued, betrayed, attacked me,
 When gloom overdarkened and sickness racked me,
 He was by to save and free!

⁸ Life and Writings, p. 147.

⁹ Of the firm of McGlashan and Gill, now M. H. Gill & Son, Dublin.

¹⁰ Life and Writings, p. 164.

Yes! to live a bard, in thought and feeling!
 Yes! to act my rhyme by self-restraint,
 This is truth's, is reason's deep revealing,
 Unto me from thee, as God's to a kneeling
 And entranced saint!

Notwithstanding his ineptitude and opium-eating, Mangan was a clean-minded and clean living man in a moral sense, and always a fervent Catholic at heart. Father Meehan, who had much of his confidence, vouches for this. "Something," says Mitchell, "saved him from insanity—perhaps it was religion." Mr. O'Donoghue¹¹ notes as "in some respects the most astonishing feature of his career that even in his deepest, most abysmal misery and despair and suffering,"¹² he never lost his religious faith. He was interested in many religions, in many of the world's religious teachers, but his early convictions remained intact, and personally, apart from his habit of drinking, his conduct was irreproachable enough. At the approach of death his muse became more religious than ever, and his reading lay more and more in religious books." In the fragment of autobiography already referred to he relates: "To the religious duties enjoined by my Church I had always been attentive, but I now became deeply devotional, addicted myself to ascetic practices and studied the lives of the saints¹³ with the profoundest admiration of their grand and extraordinary virtues. If my mind had been of a larger and sterner order, all this had been well enough and I should doubtless have reaped nothing but unmixed advantage from my labours. But, constituted as I was, the effect of these upon me was rather injurious than beneficial. I gradually became disquieted by doubts, not of the great truths of faith—for these I never questioned—but my own capacity, so to speak, for salvation."

Then, for about twelve months, his mind was clouded by dark and dismal thoughts upon which he brooded, until the cloudiness was gradually dispelled by the illuminating influence of prayer to which one of his spiritual advisers wisely counselled him to have recourse. In reading this passing episode of his life one cannot put aside the thought that it was not merely a fine intellect which was prematurely quenched, but a soul susceptible of higher things that was arrested in its progress by a weakness of will which yielded itself a prey to debasing habits.

In the employment obtained for him by Dr. Todd from Dr. Wall, the then librarian of Trinity College, and in contributing to some

¹¹ Life and Writings, p. 126.

¹² Lamartine's poem, "Farewell to France," which he considered the finest thing he ever did, he told McGlashan was written in pencil reclining against a haystack after a fast of thirty-six hours.

¹³ He had a special veneration for St. Francis of Assisi and would talk of him for hours.

minor periodicals—most of which had only an ephemeral existence—he found more congenial occupation than in the daily drudgery of a scrivener's or lawyer's office. His earliest poems appeared in 1818. There were then hardly any literary periodicals in Ireland, and the Dublin and Belfast almanacs were the recognized receptacles in Ireland for the abundant poetical output of rhymesters all over the country.¹⁴ For these Mangan wrote frequently from 1818 to 1826. From 1826 to 1831 he did very little literary work.

One of the earliest publications to which Mangan contributed was a satirical paper called *The Comet*, then engaged in a controversial conflict with the Rev. Tresham Gregg and Cæsar Otway, two noted Protestant hot-gospellers. It was founded in 1831 and was the organ of a club who took the popular side in the struggle against the levying of tithes upon Catholic farmers for the maintenance of the Protestant Church. Its leading members were Joseph Sterling Coyne, afterwards eminent as a dramatist, humorist and contributor to *Punch*; Samuel Lover, whose powerful etchings, O'Donoghue says, did as much for the agitation as any of the satires in prose and verse; Thomas Browne, editor of *The Comet* and one of the authors of *The Parson's Horn Book*, which scarified the Government and the tithe receivers; Norreys Jephson, M. P. for Mallow; John Sheehan, the sub-editor of *The Comet*, who was afterwards one of the chief writers for *Bentley's Miscellany* and *Temple Bar*; John Cornelius O'Callaghan, the historian of "The Irish Brigades in the Service of France" and the author of "The Green Book;" Maurice O'Connell, the witty and poetical son of the Liberator; Robert Knox, who eventually became editor of the *London Morning Herald*; Thomas Kennedy, author of "The Uninscribed Tomb" and "Reminiscences of a Silent Agitator;" Dominic Ronayne, later a Cork M. P., whom Sheehan describes as "the most sparkling and classic writer of English prose in any publication of his time," and lastly Mangan, who began to write for *The Comet* when it was over a year in existence. They were thorough Bohemians and foregathered at a tavern in Church Row off Dame street. They did not understand or appreciate Mangan, who, on his part, did not relish their chaffing and roystering and withdrew from the club. In an autobiographical sketch in which he speaks of himself in the third person he says: "They (the editors of *The Comet*) tried to corrupt him, but failed. He wrote for them gratuitously. But when he attended at their drinking bouts, he always sat at the table with a glass of water before him." James Price, who met him frequently at the club, "always found 'Clarence'—the signature appended to his early literary productions—the same simple, inno-

¹⁴ Life of Mangan by D. J. O'Donoghue, p. 17.

cent creature, full of that fresh romance which, at the touch of an enchanter's wand, summons up shapes of beauty and glory. . . . He was the least worldly being we ever met. His sensibilities were keen and easily excitable, and his whole organization, physical and mental, was instinct with genius. A peculiar feature of his character was the intense melancholy that rested upon him continually like a shadow. No matter how great the festivity—how bright the faces surrounding him—a deep gloom would suddenly fall upon 'Clarence,' a gloom that he could not shake off." The best poems he wrote for *The Comet* were "The Dying Enthusiast" and "Life is the Desert and the Solitude." The former he republished in the *Dublin Penny Journal*, in which also appeared "The One Mystery," a similar poem; "Enthusiasm" and a version of Schiller's "Lament of Ceres." His connection with this famous periodical, which counted among its contributors the most eminent writers in prose and verse and notable antiquaries, brought him into association with Petrie and O'Donovan, who befriended him in after life. It was through the influence of Petrie he obtained employment as a copyist in the office of the Ordnance Survey, 21 Great Charles street, near Mountjoy Square. "It is almost certain that Mangan began to drink heavily while here," Mr. O'Donoghue avers. "From this date Mangan's downward course is traceable step by step."

Previous to this he began to write for the *Dublin University Magazine*, to which he was a voluminous contributor and in which appeared much of his best work. His contributions it is calculated would fill a dozen good sized volumes, or considerably more than a thousand closely-printed double columns of the magazine. Even if he had only obtained ten guineas a sheet¹⁵ from McGlashan, the publisher, his earnings from the magazine alone, his biographer computes, would not have been less than £70 or £80 a year, which, with £78 on an average from the Ordnance Survey, should have certainly removed him to a safe distance from want. He was a prolific writer, having written over eight hundred poems.¹⁶ O'Donoghue says there can be no doubt that, had he wished, he might have become as distinguished in prose as in verse and that had he written for *Fraser* or *Blackwood* his reputation in the world of literature would be vastly greater than it is. In one respect he resembled a fellow-countryman, Father Francis Mahony, one of the most notable of the contributors to *Fraser*, being much addicted, as he admits, to fathering upon other writers the offspring of his own brain, as in his pretended translations from Arabic, Turkish, Persian and other

¹⁵ The usual rate was sixteen guineas.

¹⁶ At least 500 poems by him, besides a considerable quantity of prose appeared in the *University Magazine* between 1834 and 1849.

Oriental tongues; just as the linguistic whimsicalities of Mahony were ascribed to Father Prout, "the lone incumbent of Watergrass hill."

He was a constant reader and admirer of Maginn's brilliant writings in *Blackwood*, and it is somewhat singular that he did not, like either of his compatriots and contemporaries, look to London for a medium of reaching and attracting the public. Mitchell seems to have discovered the reason. "Mangan," he says, "was not only an Irishman—not only an Irish Papist, not only an Irish Papist rebel, but throughout his whole literary life he never deigned to attorn to English criticism, never published a line in any English periodical, or through any English bookseller, and never seemed to be aware that there was an English public to please."

With the exception of translations from Petrarch and Filicaja in the *Dublin Penny Journal*, the majority of his translations, chiefly from the German, appeared in the *Dublin University Magazine*, during the fifteen years he enriched its pages with his contributions. The reader will search in vain for one or more of these German authors, for they had no existence except in his own fertile imagination. They began with Schiller's "Pilgrim" and were reprinted in 1845 under the title of "German Anthology" in two volumes, Gavan Duffy generously defraying the expenses of publication.

The congenial association with Petrie, O'Curry and O'Donovan had breathed a fresh patriotic inspiration into his receptive mind and gave his genius a more distinctly national bent. But stirring events were at hand which were destined to exercise a still more marked influence upon him in the same direction and to kindle into white heat the warmth of his patriotism. The appearance of the first number of the *Nation* in October, 1842, was epoch-making. It was Mangan who wrote the splendid inaugural ode which adumbrated the grand aim of that journal. Its gifted editor, Charles Gavan Duffy—the veteran patriot, statesman and historian of the Young Ireland movement, who, full of years and of honors, passed away at Nice on February 9th of this year—conceived an affectionate regard for the poet, to whom he had been introduced by Carleton in the office of the *Register*. "I knew and loved him," he says, "from the time when I was not yet a man." "The man most essentially a poet among the writers of the *Nation*," he declares,¹⁷ "was Clarence Mangan. He was as truly born to sing deathless songs as Keats or Shelley; but he lived and died in a provincialised city, and his voice was drowned for a time in the roar of popular politics. He was so purely a poet that he shrank from all other exercise of his intellect. He cared little for political projects. He could never be induced to

¹⁷ *Young Ireland, a Fragment of Irish History*, Vol. I., p. 137.

attend the weekly suppers, and knew many of his fellow labourers only by name. He lived a secluded, unwholesome life, and when he emerged into daylight he was dressed in a blue cloak (midsummer or midwinter) and a hat of fantastic shape, under which golden hair as fine and silky as a woman's hung in unkempt tangles, and deep blue eyes lighted a face as colourless as parchment. He looked like the spectre of some German romance, rather than a living creature. He stole into the editor's room once a week to talk over literary projects, but if any of my friends appeared he took flight on the instant. In earlier days I had spent many a night up to the small hours listening to his delightful monologues on poetry and metaphysics, but the animal spirits and hopefulness of vigorous young men oppressed him, and he fled from the admiration or sympathy of a stranger as others do from reproach or insult." Father Meehan has borne testimony¹⁸ to how fondly attached Duffy was to him and how lovingly but vainly he strove to recall him to his better self. He tells to the credit of the distinguished editor of the ablest newspaper of the time in Ireland that, all Mangan's tergiversations notwithstanding, he always proved himself his apologist. "May God bless him!" wrote the grateful poor fellow; "he has been to me the sincerest friend I ever had." Davis engaged Maddyn's aid to make Clarence Mangan better known to the lovers of poetry in England but unsuccessfully. It was to the *Nation* that Mangan contributed his most spirited national poems. "Hitherto," says Mr. O'Donoghue, "he had been contented with the name of 'poet,' he now appeared as the great national poet of Ireland—the most splendidly endowed with imagination and keenness of vision of any Irishman of his time." His best and best remembered and most admired poems, "Dark Rosaleen," "A Vision of Connaught in the Thirteenth Century," "The Dream of John McDonnell," "Shane Bwee," "A Cry for Ireland," "A Warning Voice" and "The Peal of Another Trumpet," in which there is a strain of prophetic foresight, appeared in the *Nation*, to which he willingly gave the best fruits of his genius. For a short time he seceded from the paper to help Mitchel in founding the *United Irishman*, but when after sixteen issues Mitchell's paper was suppressed and its successor, the *Tribune*, had shared the same fate,²⁰ he returned to the *Nation*. Though Duffy does not credit him with any strong political convictions, there is evidence enough, apart from his national poetry, that he had caught the contagion of the patriotic fever which then stirred the young blood of

¹⁸ Biographical sketch prefixed to the translations of the "Poets of Munster."

¹⁹ Life and Writings, pp. 159-160.

²⁰ He only wrote three poems for the *United Irishman* and one for the *Tribune*.

Ireland and made their hearts throb. When Mitchel was threatened with prosecution after the fifth number of his paper appeared, Mangan wrote to him saying that he was identically of the same views on public affairs and was prepared to go all lengths with him and his intrepid friend, Devin O'Reilly, for the achievement of national independence. Mitchel, like Duffy, formed a high opinion of him. "He had no malignity," he says, "sought no revenge, never wrought sorrow and suffering to any human being but himself. In his deadly struggle with the cold world he wore no defiant air and attitude, was always humble and affectionate, almost prayerful. His manner and voice were always extremely gentle, and I never heard him blame anybody but himself." It was in the library of Trinity College he first saw him, and he has given an admirable impressionist pen-portrait of the poet. "The present biographer," he writes, "being in the College Library and having occasion for a book in that gloomy apartment called the Fagel Library, which is the innermost recess of the stately building, an acquaintance pointed out to him a man perched on the top of a ladder with the whispered information that the figure was Clarence Mangan. It was an unearthly and ghostly figure in a brown garment; the same garment to all appearance which lasted till the day of his death. The blanched hair was totally unkempt; the corpse-like features still as marble; a large book was in his arms, and all his soul was in the book. I had never heard of Clarence Mangan before, and knew not for what he was celebrated; whether as a magician, a poet, or a murderer; yet took a volume and spread it on a table, not to read, but with pretence of leading to gaze on the spectral creature upon the ladder." This corpse-like appearance was the unmistakable alabaster shine which indicates the opium eater. And here it may be parenthetically observed that Miss Imogen Guiney in the memoir prefixed to her selection of his poems in which she draws a portrait, more or less idealized, of the poet, quotes Dr. Sigerson, of Dublin, and an American physician in favor of the theory that it was to opium alone and not alcohol that Mangan was addicted. It is contended that his handwriting does not present the signs of one whose nervous system was shattered by alcohol and that it is pathologically impossible that a man could be a drunkard and an opium eater at the same time. In 1887 when a certain Dublin barrister, in the course of a lecture on Irish poets, incidentally referred to Mangan as a victim of the drink evil, Father Meehan, who was present, interrupted the lecturer with the exclamation, "There is not a word of truth in that." From this it may be inferred that Father Meehan had altered his previous opinion and adopted that of Professor Sigerson.

To Duffy's *Catholic Magazine*, published in 1847, Mangan con-

tributed a metrical paraphrase of the first chapter of the Lamentations of the Prophet Jeremias, "The death and burial of Red Hugh O'Donnell," the "Legend of Claus of Unterwalden," and a translation of the grand liturgical hymn, *Te Deum laudamus*, commonly known as the hymn of St. Ambrose, but which Father Meehan ascribes to St. Nicetus, bishop of Treves in 527. "The Poets and Poetry of Munster," a selection of Irish poems by Munster poetasters or minor poets of the eighteenth century, was first published in 1849. For this he received such scanty remuneration as John O'Daly, the bookseller, of Anglesea street—at one time the Paternoster Row of Dublin—could afford. Mangan, who began to learn Irish in 1846, did not know it sufficiently to translate freely from it, and it was O'Daly who turned the Gaelic songs in that volume into English prose, transformed by Mangan into melodious verse into which his intuitive genius transfused the spirit and essence of the original. "The value of the work," says Father Meehan, who edited a later edition, "was greatly enhanced by the native music which escaped Bunting, Moore, Petrie and other collectors of our ancient minstrelsy." It does not, however, contain his best Irish poems, which appeared in the *Irish Penny Journal*. It was O'Curry who made literal renderings of "The Woman of Three Cows" and the elegy "O Woman of the Piercing Wail," which Lord Jeffrey admired so much. Carleton considered "Kathleen-ny-Houlahan" the best thing he ever did. In nearly every case he paraphrased freely, his version of "O'Hussey's Ode to the Maguire" being closest to the original. Mr. O'Donoghue says very aptly of his exquisite poems "Dark Rosaleen" and "A Cry for Ireland," that they are rather voluntaries upon Irish themes than translations. The same may be said of his German translations. Very few poets, his biographer elsewhere observes, have succeeded so triumphantly in producing translations which are not merely faithful in spirit, but are at the same time really first-rate as poems; and though, to secure this end, he has sometimes deviated a good deal from the precise meaning of the German poet, he always inimitably reproduces the spirit. His views upon German poetry are highly interesting and amusing; and he has humorously exhibited its peculiarities in papers which it is no exaggeration to say are quite equal to Prout's *Reliques*.²¹ He assimilated the contents of whatever interested him so thoroughly that he was able to project himself into the mind of the author, and to identify himself completely with his thoughts. Hence his wondrous skill as a translator, whether from the Irish, the Turkish or the German.²² He contributed very few translations from the German to

²¹ Life and Writings, pp. 72-73.

²² Op cit., p. 146.

the *Nation* after the spring of 1846. Almost all his poems thenceforward were Irish in subject. When the terrible famine year, black '47, came and the angel of death hovered over the doomed land, a more serious and solemn tone pervaded his poems, in several of which he depicts with lurid effect the dismal and desolating scourge which devastated the country.

Father Meehan has given us a very graphic sketch of Mangan. "My first interview with him," he writes, "was in 1845, a few days after the appearance of the *German Anthology*, when a gentleman employed on the *Nation* brought him to my attic and formally introduced me to the author of the exquisite translations of which I had spoken rapturously. Before taking a seat, Mangan ran his hand through my hair phrenologically, but whether he discovered anything to his or my advantage I don't remember. The close proximity, however, made me recognize the strange individual I had often seen standing before bookstalls at the Four Courts, the College Wall, and elsewhere. He was about five feet six or seven, slightly stooped, and attenuated as one of Memling's monks. His head was large, beautifully shaped, his eyes blue, his features exceedingly fine and 'sicklied o'er' with that diaphanous pallor which is said to distinguish those in whom the fire of genius has burnt too rapidly even from childhood. And the dress of this spectral-looking man was singularly remarkable, taken down haphazard from some peg in an old clothes shop—a baggy pantaloona that never was intended for him, a short coat closely buttoned, a blue cloth cloak still shorter, and tucked so tightly to his person that no one could see there even the faintest shadow of those lines called by painters and sculptors drapery. The hat was in keeping with this habiliment, broad-leaved and steeple-shaped, the model of which he must have found in some picture of Hudibras. Occasionally he substituted for this headgear a soldier's fatigue cap, and never appeared abroad in sunshine or storm without a large malformed umbrella, which, when partly covered by the cloak, might easily be mistaken for a Scotch bagpipe. This eccentricity in costume and manner was not affected, and so little did he heed the incidents passing about him that he never was conscious of the remarks and glances bestowed on him by the empty-headed fop who stared him in the streets. The acquaintance formed that evening was destined to live through five eventful years; and thenceforth Mangan was always welcome to such modest fare as a poor attic could afford." Among those whom he used to meet there were Thomas D'Arcy Magee, Richard D'Alton Williams, and Denis Florence McCarthy and others whom he delighted with his *vita voce* criticisms of the Italian, German or French poets or entertained with dissertations on phrenology, in which he was a firm believer.

During the intervals of sobriety and self-denial, which followed the advent of Father Mathew to the metropolis, he endeared himself more and more to his companions, frequented the sacraments, and scrupulously kept faith with those who had secured his valued literary services. "What joyous evenings we had then in that attic," says Father Meehan, "listening to his anecdotes of crazed Maturin²³ —in some measure his own *menechme* or *alter ego*—whom he used to follow through the streets; Dr. Brennan of *Milesian Magazine* notoriety, Sir Harcourt Lees and other eccentrics with whose vagaries he was thoroughly acquainted! On one of those evenings he, for the first time, heard one of his own most pathetic lyrics, 'The Time of the Barmecides,' mated to a sweet old Irish air by Dr. Thomas Nedley, then a student of medicine and gifted with a dulcet tenor voice, that often and often made our reunions all the more charming." Host and guests who mingled song and jest and joyous laughter in what Father Meehan facetiously calls an "attic" (where the conversation was not unseasoned with Attic salt) but which was in reality an upper room in the presbytery of SS. Michael and John's, have disappeared, and their places know them no more. Dr. Nedley, whose wit rivalled that of Father Healy of Little Bray, was one of the last of those whose

* * * songs melodious
Flung a glorious madness o'er the festive board

to follow Father Meehan to the bourne from whence no traveller returns. "The Time of the Barmecides," which Mangan considered the best thing he had ever written, was set by Nedley to the old air of "Billy Byrne of Ballymanus," and Mangan was so charmed with the song that he gave Nedley an autograph copy of the poem which was religiously preserved.

"But ah, the pity of it!" reflects Meehan. "Waywardness and irresolution were strongly developed in Mangan, and despite words of encouragement and gentle attentions, he would, at intervals, be missed for weeks and months from the little circle in the attic, none knowing whither he had gone till he himself would suddenly turn up, and tell how he had been to Leixlip or Kiltale, suffering from fever, of which he would cure himself with draughts of Bishop Berkley's nostrum—tar water."

²³ The famous author of *Bertram* and *Malmoth the Wanderer* lived at 41 York street when Mangan was serving his time to the scrivnery at No. 6. Maturin (whose kinsman, an ex-Cowley Father, is now ably filling the place left vacant by the lamented Rev. Dr. Rivington, another convert from the Anglican brotherhood at Oxford) was a very familiar figure in Dublin streets in the first half of the last century. He was, though very eccentric, an eloquent preacher as a Protestant divine. Sir Walter Scott offered to edit his works after his death and Byron strove to get a hearing for his plays.

His habits were very nomadic. He was always moving about from place to place, not from necessity, but choice. Duffy, the publisher, made him an offer of bed and board in his house on Wellington Quay, and a fair allowance of money, and Father Kenyon wanted him to live with him in the parochial house, Templederry. But his nomadic propensities, his ineradicable Bohemianism, his dread of restraint and love of a kind of wild freedom made him decline the good-natured offers of his friends who wished to save him from himself despite himself. He now began to estrange himself more and more from his friends. One day Father Meehan found him and his brother in a miserable back room destitute of every comfort. On expostulating with him, he vowed that he would endeavor to retrieve himself and make amends for the past. But promises of amendment were no sooner made than broken, such is the tyranny of habit. A hypochondriac and fatalist, he had become possessed of the insane idea that his life would have a tragic ending and that he could not struggle against fate.

In an appealing letter to Duffy he describes himself as "utterly prostrated" and "in a state of absolute desolation of spirit" and implores him "for the pity of God" to come to him; adding that he was hardly able to hold the pen. To one whom he calls "the most distinguished philanthropist of our era" he writes from "a fireless and furnitureless room with a sick brother near me whom I have supported for years." And yet, in the midst of all this gloom and misery he produced poems of transcendent beauty.

The two last years of his life were spent in the same erratic and irresolute mood. Every effort of his friends to bring him back to the right path failed. Weary of life and broken in health and spirits, he was admitted to St. Vincent's Hospital in May, 1848—a pale ghost-like creature, with snow-white hair tossed over his lordly forehead, and falling lankly on either side of a face handsome in outline, bloodless and wrinkled, though not with age. Carried up to St. Patrick's ward, his weird blue eyes, distraught with the opium-eater's dreams, closed beneath their heavy lids, and his head fell back in sleep just as it is pictured fallen back in death by Frederick William Burton's magical pencil.²⁴ Denied the use of stimulants and longing like Trowbridge's vagabond for "something warm to stop a horrible inward sinking," or mayhap for the delusive and delirium-producing drug which was his bane, he fled from the hospital and the kindly care of the good Sisters of Charity—those true "daughters of Vincent de Paul" whose hands are always "tending the helpless or lifted for them"—and relapsed into the old slough of despond. A few mornings after he was a patient in the Richmond Surgical Hos-

²⁴ "Life of Mary Aikenhead," by Mrs. Atkinson.

pital, bruised and disfigured by a fall at night time of nearly fifteen feet into the foundation of a house then recently sunk. His health was gone, he had lost the free use of his limbs from weakness and lack of nourishment, and early in June, 1849, he was stricken down with cholera. He was removed to the temporary sheds at Kilmainham, but was allowed to leave after a few days, when he was thought to be nearly well. But he was past recovery, and on the 13th was found dying in the cellar of an obscure house in Bride street. By the advice of Dr. Stokes, who pronounced his case hopeless, he was removed to the Meath Hospital. The late Miss Margaret Stokes, the distinguished Irish artist and antiquarian writer, in a letter to Mr. D. J. O'Donoghue says: "My father watched over him lovingly for three days, till he died. One morning he turned on his pillow and said to him: 'You are the first man who has spoken a kind word to me for years.'" Dr. Stokes conveyed to Father Meehan poor Mangan's earnest desire to see him, and the good priest lost no time in going to the pesthouse, then filled with the dying. On taking a chair at his bedside, the poor fellow playfully said to him: "I feel that I am going. I know that I must go 'unhousel'd' and 'unanel'd,' but you must not let me go 'unshriven' and 'unanointed.'" The chaplain was sent for, heard his confession and administered Extreme Unction. On the 20th of June, the seventh day after his admission, he died without a trace of suffering, without a pang to tell the moment his spirit passed away. With hands crossed on his breast and eyes uplifted, manifesting sentiments of the most edifying piety, and with a smile upon his lips he faintly ejaculated, "O Mary, Queen of Mercy!" Mitchel says that at his own request they read him, during his last moments of life, one of the Catholic penitential hymns.

Thus passed away the greatest of the *Nation* poets. Hercules Ellis, an Irish barrister, says he died an honor to his country by his writings, a disgrace to it by his deplorable fate.

Immediately after death such a wonderful change came over his face that Dr. Stokes, who made a cast of it, hurried away to Mr. F. W. Burton (Sir Frederick Burton, then a young and rising artist) and said to him: "Clarence Mangan is lying dead at the hospital. I want you to come and look at him, for you never saw anything so beautiful in your life." He went at once and made the drawing which, at a later period and at the request of Mr. Henry Doyle, he presented to the National Gallery, Dublin. "The sight of poor Mangan," he said, "as he lay in the mortuary, with head unsupported, and the long, partially gray hair fallen back from the fine and delicately shaped forehead, was intensely interesting and pathetic."

Although the burial rite should have followed fast on the decease, his remains were not interred till Friday, June 23, because of the difficulty of procuring either coffin or hearse owing to the awful mortality then desolating the city. He was buried in Glasnevin, only five people, according to Brenan (Father Meehan says three), following him to the grave, marked by a modest headstone erected by a kinsman.

R. F. O'CONNOR.

Dublin, Ireland.

TENNYSONIAN SEA-ECHOES.

BOURNEMOUTH! A lustrous spring evening, fleecy clouds crawling across the violet abysses of the sky! The quivering, shivering sea—where the dazzling pyramid of effulgence from the molten mass of the setting sun glowed on it—gleaming like burnished fretted-silver inlaid in rosewood. Canford Cliffs, beneath which we stood, were incarnadined by the level rays of the sinking orb, now superbly large. Thence nature's masterpiece lay spread out before our gaze. And what a glorious scene this was of England's Riviera! Fronting us, off to the left, stood out the Needles, stiff and distinct, the rest of the island robed in a filmy web of silver mist—the Isle of Wight, rich in memories of that Tennyson whose cunning hand had word-painted, so often and so well, visions of nature-beauty such as this. To our right stretched Poole harbor, a busy emporium once but dying now to trade, though fated to survive in men's memories because immortalized by the magic brush of genius—Turner's. At our backs rose the gravelly cliffs, scored and scarred by countless rivulets of surface waters trickling to the beach. And, across a narrow stretch of smooth sand, sportive wavelets rippled lazily towards our feet lipping the beach.

In silence, for a space, we stood, musing, contemplating the picture—four of us. One a barrister, in the prime of life, unsentimental nor overfond of those airy nothings whereof the warp and woof of a poet's dreams are knit, but matter-of-fact, clear-headed, breezy-minded, with keen laughter cutting the knot of many a sophistry. One a lady, not unknown to literary fame, dainty, artistic, refined, her soft eyes and silvery voice the index of a melodious soul sweetly attuned to a fair body. The third was a man nearing the bisection of a century, a metaphysician, versed in the subtleties of over-nice distinctions, a little pedantic, and yet withal healthy and athletic, with a vein of satire not always successfully concealed. The fourth was

not much more than an onlooker and a listener—myself. Such the quartette.

I remarked how still were sky and sea.

Lady. Yes, now! But only last night, what a storm! At first, sounds of strangled thunder over Swanage; then, right overhead, such a crash of heaven's artillery that the world seemed to stagger under the blow; in heavy battalions the murky clouds marched across the fields of heaven; the wind howled like a fettered soul fretting to be free; and rain, wind, and waves confounded together their tremendous sound. This sea, so gentle now, seemed to me an awful orator, with eloquent roar preaching the Divine.

Professor. Even now, I fancy, the air is thunderous and I should not wonder if to-morrow the storm-steeds roar again deep-mouthed on this shore, a rampant and ravening tumult of waters.

Lady. I love thus to see the ocean beating the strong passion of its mighty heart against the stern, dumb, shore. How transitory is man in face of the intransient sea!

Professor. Man the "ephemeral, the creature of a day," as Æschylus called him!

Lady. Multitudinous are the moods of the sea—like a woman's.

Barrister. And a woman's as a cat's, at one time gentle and purring, at another ready to run up the wall and fly at your throat.

Professor. Not cat-like, but cameleon-like I should call the sea.

The lady turned to the speaker and bowed silent but sarcastic thanks; then said:

Lady. How beautifully Tennyson has written of the sea! Not a single point of view from which he has not limned it. And so original!

Professor. Of that I am not quite sure. To me, he never awakened to the glamor and magic of the sea. And all the stranger because the sea has so formative an influence on the character; yet born and bred by the sea he never once, *ex professo*, described it. And this though he was poet laureate and England owes her all to the sea!

Barrister. "All?" That would be a mere extrinsic advantage. But don't you think the English race displays an intrinsic superiority over every other?

Professor. No doubt it would be gratifying to hold that view. But the proofs? Are Englishmen more enduring than Frenchmen, more energetic than Germans, more artistic than Italians, more enterprising or more inventive than Americans? Do employers of labor think so? The Englishman's merit is due to the favoritism of his position. The sea gives him the title-deeds of empire. Yet the deeper sea-meanings never dawned on Tennyson. At any rate they

never inspired him to anything above word-painting. And many sea-aspects escaped him altogether.

Barrister. For instance, the sea's present mood of low-lisping placidity?

Professor. Yes, it is calm as a cradled child.

Lady. Yet Tennyson gives you "the placid ocean-plains;" and "waves that sway themselves in rest;" and "as thunder-drops fall on a sleeping sea."

Barrister. Well, that is meagre enough. Nor is he a spendthrift in names for the sea. I can recall but three—"brine, deep, flood."

"The rolling *brine* that breaks the coast."

"From the great *deep* to the great deep he goes."

"The *fallow* *flood*."

And none of these, I think, is original?

Lady. The epithet "fallow" at least is original.

Professor. Nay, is it not Homer's "unharvested?"

Lady. In his descriptions of the sea's action he is richer; for example, its action on the beach:

"When the crisp slope waves,
"After a tempest, rib and fret
"The broad imbase~~d~~ beach."

Or, again, he speaks of England's rocks that

"Shatter, when the storms are black
"In many a streaming torrent back,
"The seas that shock thy base."

Professor. And how dainty the line:

"Waves on a diamond shingle dash!"

Barrister. And this is sonorous:

"The tide in its broad-flung ship-wrecking roar."

Lady. But in this, listen to the sound fitted to sense:

"The scream of a maddened beach dragged down by the waves."

Professor. Yet the beauty, polished but over-elaborated, is that of sound rather than of sense; words rather than ideas.

Lady (abruptly). How deftly Tennyson paints the sea's action on a boat:

"The pleasure-boat that rocked
"Light green with its own shadow, keel to keel,
"Upon the dappled dimples of the wave
"Which blanched upon its side."

Professor. A dainty conceit, but not original. "Dimples" is of course *Æschylean*:

"The many-dimpling smile of ocean-waves."

II.

Here the conversation halted for a while. The lady was waxing

eager, nettled perhaps at the Professor's antagonism. But was he in earnest? For about the corners of his grave mouth there flickered the shadow of a smile, as though he were toying with his friend's enthusiasm.

But the evening breeze was already born and began to ruffle the sea-plain. Then the conversation began anew.

Barrister. How instantaneous the response of water to wind! Tennyson has some pretty things about the interaction of winds and waves.

Professor. "The winds leaning upon the ridged sea."

Lady. Yes, and of the dominance of water by wind:

"Ye could not hear the waters for the blast,
"Tho' heapt in mounds and ridges all the sea."

Professor. And how splendid is this onomatopaea:

"The white cold heavy-plunging foam, whirled by the wind."

III.

At this moment a school of porpoises rolled by, within easy distance of the shore, "wallowing unwieldy, enormous in their gait." To them what did the sea look like, viewed from those nether depths? And I ventured to ask my Tennysonian experts whether or not our poet had any thoughts on the subject.

Barrister.

"As the drowning seaman hears,
"Who, with his head below the surface dropt,
"Listens the muffled booming indistinct
"Of the confused floods, and dimly knows
"His head shall rise no more."

But "listens" for "hears" is harsh.

Lady. At any rate, Mr. Barrister, this is not harsh:

"Below the thunders of the upper deep,
"Far, far beneath in the abysmal sea
"The kraken sleepeth. . . .
"There he will lie
"Until the latter fire shall heat the deep."

What a majestic thought you have there, that when the crack of doom peals through the universe, the fiery finger-tip of the Great Judge shall turn the ocean into vapor, to roll vast volumes around the Eternal Throne!

Professor (clapping his hands). Bravo! But is all that in Tennyson?

IV.

The lady affected not to hear this disparaging query. But by this time the wind had freshened and the waves began to roll in more

noisily, and to weave their changing fringe of silver foam against the pebble-paven shore.

Lady. What a wealth of epithets Tennyson has coined for such a sea!

Barrister. "The *crisp* slope waves."

Professor. "The *trenched* waters run from sky to sky."

Barrister. "Under the *hollow-hung* ocean green."

Professor. "The *mounting* wave will roll us shoreward soon."

Lady. "The *wrinkled* sea beneath him crawls."

Professor. It was from another standpoint that Byron was thinking of the "wrinkled" sea, when he wrote so nobly:

"Time writes no wrinkle on thine azure brow."

Barrister. To Tennyson, the sea is "wrinkled," I suppose, because seen from an elevation; to Byron, because it never grows old?

Professor. Yes, because it is immortal. This latter and larger view Tennyson overlooked. Ocean's undying youth he did not, like Wordsworth, realize:

"Though inland far we be,"
"Our souls have sight of that *immortal* sea."

Barrister. And because "immortal," therefore "unchangeable"—as Byron has it and Tennyson has it not.

"*Unchangeable*, save to thy wild waves play."

Professor. And because "immortal" and "unchangeable," therefore a mirror of the Infinite, as Chenedolle remembers, but Tennyson forgets:

"Sea! Of *Almighty*ness itself the immense
"And glorious mirror! How thine azure face
"Renews the heavens in their magnificence,
"And God's throne rests on thy majestic deeps."

Lady (petulantly). May I finish my catalogue of Tennysonian sea-epithets?

"Sweet and low, sweet and low,
"Over the *rolling* waters go."

And again:

"The dread sweep of the *down-streaming* seas."

Barrister. Fine, indeed! Here is another:

"The *league-long* roller *thundering* on the reef."

Lady. Superb! And this?

"A sudden blast blew us thro' a *boundless* sea."

Professor. "Boundless" is a Greek epithet. To us moderns the idea is one of awe and magnificence; but to those old world Greeks, of the formless, inartistic, terrible, hateful!

V.

For a little space we mused in silence, to take in the fair picture. Then a wave, broader-backed than its fellows, rolled in majestically, broke noisily, clamored among the shingle, rushed white up to our feet, lingered a moment, and then fingered its way back tremulously.

Lady. In Tennyson's soul what a sympathy there was with sea sounds! To the ocean's mighty diapason, to the rush and roar of organ winds and waves, to the tenderer melodies awakened by the sea-harper when he lays his hand on the shore as on a lyre, Tennyson's ear was most delicately attuned. For example,

"A silver cloud hung over the *sounding* seas."

Barrister. "The *hollower-bellowing* ocean."

Professor. Even the great tidal-wave he does not forget:

"The great wave that *echoes* round the world."

Lady. "The stormy surf *crashed* in the shingle."

Barrister. Here is a line that appeals to me:

"Rolled to starboard, rolled to larboard, when the surge is *seething* free."

The evening was now drawing on apace, the sun had sunk below the horizon, and from the roseate zenith the colors of the sky shaded down through opal, mingled with patches of saffron, to a sumptuous purple by the watery horizon. And we watched the changing hues of the sea which imaged the many-tinted sky, as a lover wears his mistress' colors on his breast.

Then I ventured to ask them what Tennyson's sea-colors might be. With ready memory they poured forth line after line.

Lady. "In the middle of the *green* salt sea."

Professor. "As *white* as ocean-foam in the morn."

Barrister. "White sails flying in the *yellow* sea."

Lady. "The *purple* seas hung in mid-heaven."

Barrister. "Like drops of blood in a *dark-grey* sea."

Lady. "The semi-circle of *dark-blue* waters."

Professor. Tennyson's "purple" is, I suppose, Homer's "porphureos?"

Barrister. Yes, and "dark-blue" is Byronic:

"Roll on, thou deep and *dark-blue* ocean roll."

Professor. Tennyson's originality, at best, is only of form and not of thought. Homer could have furnished him with as many more color-epithets as there are colors in the rainbow; "murky," "livid," "ashen," "violet-tinted," "black," "grey," and "wine-tinted."

VI.

The lady looked irritated and I interposed with the remark that

Tennyson was a very mine of rich, and even original, phrases for sea-motion. And I offered the quotation :

“Where yon fair water sweetly, slowly *glides*.”

Lady. Our poet gives us also, “the *sliding* tides;” “the *myriad-rolling* ocean;” “the *heaving* deep;” “the breaker *breaking* on the beach;” “*rolling* ridge on ridge.”

Professor. Also, “the *forward-creeping* tides began to foam.”

Barrister. And here is a good distich :

“*Slow-moving* as a wave against the wind;”
“That flings a mist behind it in the sun.”

Lady. And these expressions—how apt!

Rippled, like an *ever-fleeting* wave.

Professor. And these :

“When the tide”
“*Flashed*, sapping its worn ribs; and all without”
“The *slowly-ridging* rollers on the cliffs”
“*Clashed*, calling to each other.”

Barrister. “Upblown,” too, is, I think, original?

“The waste and open sea”
“When the *up-blown* billow runs”
“Shoreward, beneath red clouds.”

Professor. Does our poet give us “swirling surges?”

Lady. No, but its equivalent, “weltering waters.”

Barrister. And listen to the muscular collectedness of this :

“The shock”
“Of *cataract* seas that snap”
“The three-decker’s oaken spine.”

Professor. I should be the last to question the poetic beauty of these expressions. But is it not beauty of sound only? There is a want of heart in it all. To me it is like a well-chiselled face through which the soul speaks not—clear-cut but cold—symmetrical but passionless—without savor or salt. Compare Tennyson’s prettinesses with Shakespeare’s regal magnificence :

“The cradle of the rude imperious surge.”
“And in the visitation of the winds,”
“That take the ruffian billows by the top,”
“Curling their monstrous heads and hanging them”
“With deafening clamours in the slippery clouds.”

VII.

Here I struck in to ask what the popular verdict might be on Tennyson’s personifications of the sea, and I quoted one which then occurred to me :

“A storm never wakes on the *lonely* sea.”

Barrister. "There came so loud a *calling* of the sea."

Lady. And this is still nobler:

"The *moanings* of the *homeless* sea."

Professor. Magnificent! A really brave line! Keats, however, conceived the thought before Tennyson:

"The *surgy* murmurs of the *lonely* sea."

And William Falconer has something similar:

"The *tired* ocean *crawls* along the *beach*"
"Sobbing a wordless sorrow to the moon."

Lady (impatiently). May I continue the Tennysonian personifications?

"As on a dull day, in an ocean cave,
"The *blind* wave *feeling* round his long *sea-hall*
"In silence."

And again:

"Where the *chafed* breakers of the outer sea"
"Sank powerless."

And again:

"Upon the *sands*"
"I drew her name, until anon"
"The *wanton* billow washed them over."

Barrister. How do you like this?

"The *voice* of the long sea-wave, as it swelled."

Professor. I should call it less striking than the line it imitates, in *Fancy in Nubibus*:

"Rise to the swelling of the voiceful sea."

VIII.

A wave, more voluminous than usual, rolled shorewards, and we watched it gather, and arch, and curl into whiteness; for one instant the advancing mass paused to gather new strength, next rushed to our feet, eddied for a moment amid the pebbles, then hurried murmurously and as it were regretfully back, muttering its inarticulate, musical, unfathomable speech.

Lady. What a glorious musician the ocean is! And sea-harmonies are never twice the same. The chords change with the waters' moods—a grand diapason, ranging from the rhythmic dirges of this mild sea to the crashing orchestral fugue of the seething, roaring, bellowing tempest.

Barrister. Does Tennyson shine as a sea-minstrel?

Lady (quoting). "But the wave would make *music* above us afar."

Professor. That, I think, is Tennyson's only reference to the subject. I do not believe he had any ear for sea-symphonies. On other

subjects his verses are often anthem-toned, but ocean-harmonist he was not. He has nothing to equal this passage of Pollak's:

"Great Ocean, strongest of creation's sons,
"Unconquerable, unreposed, untired,
"That rolls the wild, profound, eternal bass
"In nature's anthem and makes music such
"As pleased the ear of God."

These lines the speaker mouthed out in a deep, melodious voice that emphasized the sonorousness of the passage. Did Tennyson fall short of that standard? His lady-champion had well set forth his many beautiful sea-lines. But was the beauty one of form only and not of substance? Were they only daintily chiselled verses, not deep and pregnant thoughts? Only thin word-pictures, painfully polished, not sweeping visions of the fine-frenzied eye, glancing from heaven to earth, from earth to heaven? What shall we answer?

The lady shrugged her shoulders, was it at the evening chillness, or at the professor's pedantry, or at the barrister's stolidity, or at my neutrality? So we left Tennyson and his sea-thoughts, and wended our way homewards—to light, and warmth, and dinner, and music, and rest. But ere we retired for the night, we paused by an open window to watch the star-lit sea and to listen to the moody music of the fantastic waves that, melancholy at old-world memories, were soughing and sobbing so softly, yet so sadly. Ancient sea, we men are brief heirs to dusty death!

Then to the lady the professor handed her candle and, bowing profoundly, declared that only on that evening had it been given to him to appreciate, at his true worth, Tennyson the sea-artist. And so, good night!

CHARLES COUPE, S. J.

London, England.

DUELING: ITS EARLY HISTORY.

Je dis chez les humains le jaloux point d'honneur
Du duel téméraire inspira la fureur.

(Villon-Poème de l'Am.)

RARELY does a writer rejoice that his subject has not the interest of actuality. Still when this subject is Duelling, he even gladly notices the fact that it belongs to the past—at least in the English-speaking world.¹ Indeed, though it is not to be found on Anglo-Saxon soil as a living species, yet fossilized specimens may

¹ At this moment there is but one group of countries, viz., the English-speaking lands, where Duelling is not merely scouted and put down by law, but actually ridiculed. (Mr. Percy Fitzgerald in *Chambers' Dictionary*, 1889, s. v. Duelling.)

be discovered not very deep below the surface, and in greater number still in older strata of social life. If Steinmetz is to be believed, "in no country, France excepted, has Duelling been more in vogue than in England and Ireland."² And in America, its bygone popularity is sufficiently borne witness to by the stories of bowie-knives as well as by the names of Aaron Burr and Alexander Hamilton, and of others, whose history will be found in Steinmetz³ and elsewhere. Duelling will always be surrounded by the attractive dimness of past times, whilst it gives occasion to some interesting historical and ethical problems.⁴

If one of our great-grandchildren, unfamiliar with the early nineteenth century society, came across the fact that in A. D. 1804, the Vice President of the United States killed the leader of the opposition, how surprised he would be at the circumstances surrounding the occurrence. Two men meet in warlike array, the one standing to the other in the position of insulting and insulted; and the mere fact of firing pistols at one another is supposed to wash away the stain and to restore the moral equilibrium between them. This moral phenomenon, taken separately and without supposing the practice of the Duel established, must strike a thoughtful reader as being uncommonly strange. How an injured man may consider it a sufficient reparation to fire at his offender only on condition of himself running the same risk, is enough to baffle anyone. In the words of the "plain fellow" of Steele, who had been abused by a gentleman and was then offered a duel: "This is fine doing, last night he sent me away cursedly out of humour, and this morning he fancies it would be a *satisfaction* to be run through the body."⁵

As no human proceeding is totally absurd, one feels attracted to seek for an explanation of such a prejudice in its environments; the fact that Duels were sometimes ended by one of the opponents craving for mercy and *acknowledging his wrong*, must raise a suspicion that Duelling may receive its explanation from without. Here as in many other instances, a custom in itself is unintelligible; it must be considered in its natural place in historical evolution. A difficulty at once suggests itself; as will be seen later, Duelling may be conceived under many different aspects. Old writers, who loved to

² Steinmetz, *The romance of duelling*, i., p. 6.

³ Loc. cit., vol. ii., pp. 298 foll.

⁴ The sad prevalence of Duelling in Germany and Austria at the present day need not be insisted upon. Interesting details about German duels will be found in an article published by Mr. Bachofen von Echt in the *Nineteenth Century* for April, 1903.

⁵ *The Tatler*, June 7, 1709.—Duelling "is not less absurd than if after a ruffian had violated my wife, or set fire to my house, I should consent to toss up, heads or tails, whether he should be hanged for it or I." (*Gentleman's Magazine*, vol. xxxi., pp. 57, 58.)

go deep into matters—in their search for “ultimate causes”—used to begin their treatises on Duelling with David and Goliath. On the same line, one might conceive a history of Motor-Cars tracing their origin to the first boy who set his top spinning; the whole question is a matter of words. But this is not the only difficulty; as many other customs, for instance Slavery, Duelling is the result of a very complex causality and it seems to us impossible to pick out any one practice, and to say: in this Duelling originated.

However, this origin of Duelling must be studied; first, because any history of Duelling must begin at the beginning; and then also, because Moralists—or rather Casuists—have busied themselves with its early developments. “It is lawful for man, in the natural state, to give or accept a challenge, if it is the only way of saving his honour or his goods” is one of the propositions condemned in the Constitution *Detestabilem* of Benedict XIV. (10 Nov. 1752).⁶ We are thus concerned in considering the practice at a time when neither Church nor State could interfere much with the private doings of people.

When one reads some of the many treatises which have been written on Duelling, one is often reminded of the clown’s answer: “Words are grown so false, I am loath to prove reason with them.” (*Twelfth Night*, iii., 1.) The only possible course is to hedge the notion of single combat into a strict definition. To this, of course, might be objected that such a treatment is “à priori” and arbitrary; Burke disliked it, and gave his reason: “When we define we seem in danger of circumscribing nature within the bounds of our own notions. . . . We are limited in our inquiry by the strict laws to which we have submitted at our setting out.”⁷ To which, however, Cicero would answer: “Let every study taken up by the mind begin with a definition, so as to make known what precisely is the subject in question.”⁸ Had this rule been followed, less time would have been wasted on some discussions, for instance concerning the origin of Feudalism or of Trial by Jury. On our subject we find the assertion that “the Duello . . . belongs to every age and country, uncivilized as well as civilized” (Chamber’s Dict.), and on the other hand, an author like Muzio excludes from his treatment of Duelling those combats in which there is “quistione delle moglieri.”⁹ In medio stat virtus: we shall be safe in taking as guide

⁶ Bullarium Bened. XIV., vol. x., p. 77. Quoted e. g. in Castelein. *Instit. Phil. Mor. and Socialis*, p. 236.

⁷ Burke on the Sublime and Beautiful. *Introd. on Taste*.

⁸ *Omnis quae a ratione suscipitur de aliqua re institutio, debet a definitione proficiisci, ut intelligatur quid sit id, de quo disputatur.* (Cic. de Off., I. 1.)

⁹ Muzio Giustinopolitano. *Del Duello* (Vinegia, 1551), p. 8, where he defines a Duel “una battaglia fatto da corpo a corpo per pruova della verita.”

current usage "quem penes arbitrium est et jus et norma loquendi." Duelling then will here be considered as "a private fight between two persons, pre-arranged and fought with deadly weapons, usually in the presence of at least two witnesses called seconds, having for its object to decide a personal quarrel or to settle a point of honour."¹⁰

Thus the scope of this study does not include what Mr. Ashworth calls the "American duel, where the two parties draw lots and the loser is under a moral obligation to kill himself within a specified time."¹¹ Champions, who represent their armies are not termed duellists; no more are the Germans mentioned by Tacitus (Germ. X) who fought augural combats under the eyes of the two contending hosts. Lastly, Duelling in the strict sense can be applied neither to the sudden struggle between an assassin and his victim, defending his goods or his honour, nor to certain single combats of which more will be said later. Given then this definition, *when* did Duelling originate? As a widely spread institution and a codified custom, it may be said to have been established in the sixteenth century. Most authors endorse the statement of Hume, who speaking of the well-known "affaire d'honneur" between Charles V. and Francis I., adds: "This famous challenge . . . produced a considerable alteration in the manners of the age. The practice of challenges and duels, . . . began henceforth to prevail on the most trivial incidents."¹² But as in the case of many other practices, Duelling did not appear suddenly in the social organism. The frequent repetition of the same act, that makes up a custom, has its historical basis in previous isolated instances: long before the use of umbrellas could be called an English custom, Jonas Hanway had hoisted his "portable penthouse."

Historians have made it their business to find out the *earliest recorded example* of a single combat which answers to our notion of a Duel. Many point to the intended "rencontre" between Francis I. and Charles V., in 1527. Steinmetz says: "The history of modern Duelling, in the strict sense . . . seems to date from the year 1527." (The Romance of Duelling I., p. 23.) An earlier instance,

¹⁰ Oxford dictionary, s. v. *Duel*—"The modern *Duel*, a pre-arranged combat with deadly weapons, between two private persons, to settle a private quarrel." (*Enc. Britt.* s. v. *Duel*)—The "*Duell-Codex*" of German students defines a *Duel*, a "private combat, following recognized rules and conditions agreed upon, in presence of witnesses, with deadly weapons of the same kind." (*Nineteenth Century*, April, 1903, p. 681.)

¹¹ The so-called American *Duel* . . . is not recognized as a *Duel* (not being a battle) by any foreign code, except that of Austria . . . which makes it a penal offense." (Ashworth, *Enc. Britt.*, new vol., s. v. *duelling*.)

¹² Hume, *History of England*, Henry VIII., 1527—"There appears to be little doubt that it was in Germany, that about the middle of the sixteenth century [Duelling] became established as an institution." (Ashworth, *Enc. Britt.*, new vols., s. v. *Duelling*). See also *The History of Modern Europe.*, iv., 210.

however, is given by Dr. Grupp: "A new kind of Duels came into use on the verge of the fourteenth and fifteenth century; . . . we find in the year 1425 the first trace of the modern Duel."¹³ The affair here alluded to is that between Philip, duke of Burgundy, and an English Prince, "the Good Duke Humphrey" of Gloucester. As is well known, Humphrey, when Protector of the realm in Bedford's absence, had married Jacqueline of Hainault. This brought about a quarrel with Philip, who upheld the claims of her first husband, John IV. of Brabant; in the course of "a hot correspondence," in which Philip had been accused of perfidy, he called Gloucester a liar, and "challenged [him] to a duel; . . . Humphrey accepted the proposal." But eventually he was forbidden to proceed by Bedford and Pope Martin V.¹⁴ Perhaps it is possible to adduce instances of Duelling earlier still than that just quoted. Indeed, in Professor Trail's *Social England* (II., p. 264) a single combat which took place on London Bridge, in 1390, between Sir D. Lindsay, first Earl of Crawford, and Lord Welles, is called a duel, but the account given of it in the *Dictionary of National Biography* does not allow us to suppose that the term should be taken in its strict sense.

At any rate, 1250 seems to have been the date of a single combat which is nothing short of a Duel in the strict sense. Such at least is the impression conveyed by the following extract from a Chronicle of William Bardin: "A. D. 1250, a deadly enmity having set in between" two lords, they "decided to be their own champions, and having secretly chosen two seconds, in their presence engaged in a Duel; both however having been wounded, they were separated and dismissed by their seconds."¹⁵ That this encounter perfectly answers to our modern notion of Duelling will be shown by referring it to the definition quoted above. Its private character distinguishes it from the then frequent Battle Trial, while the narrative of its circumstances might be taken for a newspaper's account of a German or French "affaire d'honneur."

Whatever be one's view about this or any other combat, Logic bids us pause a while before calling it the first example of a Duel;

¹³ In Wetzer & Welke's *Kirchenlexicon*, 2d ed., s. v. *Zweikampf*.

¹⁴ Prof. F. T. Tout, in the *Dictionary of National Biography*, s. v. Humphrey. Also *Kirchenlexicon*, loc. cit.

¹⁵ Anno Domini 1250, cum inimicitia capitalis intervenisset inter nobilem Gauscelinum dominum de Lunello militem ex una parte, et nobilem Guillelmum de Bonvileo militem ex alia, . . . hi duo milites fieri voluerunt Campiones, et clam acceptis duobus patrinis, et in eorum praesentia, ad Duellum ventum est: et utroque vulnerato a patrinis separati et dismissi sunt. Chron. Guill. Bardini tom. 4 Hist. Occit. inter Probat. col 4. (Du Cange-Henschel *Glossarium* s. v. *Duellum*.) This chronicle, entitled *Historia chronologica parliamentorum patriae occitanae* is to be found in: *Histoire générale du Languedoc*, avec des notes et des pièces justificatives. Paris, 1742, vol. iv., col. 4.

this would involve the assertion that no similar proceeding ever took place before. Indeed, many a writer seems satisfied that this negative proposition is sufficiently established. It is generally assumed that "in the specialized sense which the word now bears, the Duel was a peculiar institution of comparatively recent origin, a local custom which never spread beyond the limits of civilized Europe."¹⁶ For reasons which will appear in the course of this paper, we beg to demur to this—as we think—too absolute statement. Evidently one is not justified in suspecting instances of a practice where there is no ground for doing so; a history of electric telegraphy may safely neglect classical antiquity and uncivilized countries; not so, we venture to believe, a history of Duelling. It is a study as interesting as it is useful to the historian of Duelling, to examine into those *practices of earlier times which suggest the existence of the duel*, not as a full-blown institution, it is true, but as a straggling and altogether inconspicuous growth among the tangle of ancient records. Obviously, in the *Middle-Ages*, the widespread custom of Trial by Battle—of which more anon—may often have prompted private individuals to be their own judges and settle their quarrel privately, as they might have done by order of a regular tribunal. It has been shown above, that mediæval chronicles yield at least one instance of such an occurrence; we are surprised not to find them more numerous. But it is well to remember that our information of those times is very scanty regarding all but those conspicuous in religion or politics, or whose history has been rescued from oblivion through their connection with the monasteries and their consequent mention in the convent records. The instances of single combats in the *Old Testament*, on which Mr. Storr remarks that "a vast amount of perverse ingenuity has been spent," do not seem to answer to our notion of a Duel. For instance, in Deut. xxv., 11, "If two men have words together, and one begin to fight against the other," "the allusion seems to be to a sudden and unorganized strife, rather than to a deliberate combat."¹⁷ No example of a private and prearranged encounter can be found in the Bible; but contrarily to what may be called the common opinion, *classical antiquity* is more instructive. If the Wager of Battle had been customary among the Greeks and Romans,¹⁸ we might, as in the Middle-Ages, expect to find indi-

¹⁶ Mr. Francis Storr (*Enc. Britt.*, s. v. *Duel*.)

¹⁷ QUARTERLY REVIEW, vol. 169, p. 189.

¹⁸ Bro. Azarias, in the AMERICAN CATH. QUART. REV. (vol. ii., p. 395) speaking of Battle Trial, says: "Nor were the early Greeks and Romans without this means of determining guilt or innocence. Long after the practice had been abolished, the word in which it was expressed remained. With both peoples, the same word meant both to fight and to judge or determine. (Greek, *xpiveiv*; Latin, *decernere*)."
A fight between two *nations*, however, judges or determines the question between them. See the following note.

viduals taking the law into their own hands, but such does not seem to have been the case.¹⁹ Yet, though Battle Trial did not exist as a regular proceeding, it may be inferred from some passages that disputed questions were occasionally settled by the sword. Christianus Cilicius declares that "if any more severe dispute arose about rights or offices, esp. among nobles, taking Mars as judge, they settled their disputes by a Duel, according to the ancient custom of the Romans."²⁰ Whatever be the value of this and similar texts, an instance such as the following seems to deserve mention. The office of priest of a temple of Diana not far from Oretia was held by a Dane; but if a fugitive succeeded in plucking off a twig of a tree which stood in the temple, he could fight the priest in a single combat, which decided who should fill the post.²¹ More conducive to private duels must have been the gladiatorial *Monomachia*. Young rakes of high standing and noble birth, knights even in the time of Augustus, were satisfied to make money by hiring out their services, (*sc auctorare*), for the displays of the Amphitheatre.²² Little wonder then if we find individuals agreeing to end a quarrel by a combat of this sort. A famous example of such a practice is that narrated by Livy (xxviii., 21) as having taken place at the funeral feasts celebrated by Scipio Africanus in honour of his father and his uncle. The monomachia which were held on this occasion were fought by young men of the army and of friendly tribes, who offered themselves, not indeed as hirelings like the spendthrifts of a later period, but either to do honour to the general, or to show off their skill, "some decided by the sword quarrels which they had been unable or *unwilling* to settle by argument, for they had agreed that the winner of the fight should secure the possession of the disputed object." Commenting on this episode, Selden writes: "It were too Arcadian-like to fetch hence or out of these times, the infancy or beginnings of the *Duello-Trial* by course judicial."²³ So be it, but we fail to see

¹⁹ "Quelques savants ont cru pouvoir affirmer que le duel judiciaire étais en usage chez quelques anciens peuples de la Grèce et de l'Italie; mais les textes sur lesquels ils s'appuient sont bien incertains, et leur opinion est loin d'être généralement adoptée." (*Les origines du duel judiciaire*, an article published by the Bollandist Father Ch. De Smedt, S. J., in *Etudes*, vol. 63, p. 338, 339, where he refers to Fr. Patetta, *Le Ordalie*, chap. v.)

²⁰ Quoted in Olans Wormius *Mon. Dan.*, I. 1., c. 10. See also Nicolaus Damascenus: "Umbrici, cum controversias invicem habent, arma sumunt, et tamquam aperto Marte congregantur, et putantur justiora dicere, qui adversarium occidunt" (quoted in Canciani *Barbarorum L. L. Ant.*, vol. iv., p. 6.)

²¹ See Servius (Danielis) . . . ad *Aeneid* vi., vs. 136, quoted together with several others in S. Pelloutier, *Histoire des Celtes* (La Haye 1750), vol. I., p. 436, 437 note.

²² Several references to this practice will be found in J. Lipsius, *Saturnaliū Sermonū libri II. qui de Gladiatorib[us] (Antwerpiae, 1588) p. 29.*

²³ *The Duello or Single Combat*, ch. v., quoted in the QUARTERLY REVIEW, vol. 169, p. 160.

how combats of this sort fall short of our modern notion of a duel; unless it be said that they were not private because fought under the eyes of the whole army, and that an encounter *freely pre-arranged* between two English officers in Georgian times could not be called a duel if it had taken place in public.²⁴ At all events, such instances as are found among the Romans are extremely rare, and cannot be said to constitute a custom.²⁵

Leaving classical antiquity we find single combats practiced among several *barbaric peoples prior to the Middle-Ages*. It has been pointed out already how easily a warlike people among which Judicial Combat was used must have been inclined to settle their private disputes by Duel. Now, it seems probable that from a very early date the tribes of the large German stock practised, if not Battle Trial as a regular and codified institution, at least that sort of rudimentary Wager of Battle which we shall find among the tribes of the Malay Archipelago. Father De Smedt indeed is of opinion that Judicial Combat was practised by the Germans only from the time of their conversion to Christianity.²⁶ But he evidently speaks of Battle Trial in the stricter sense. Velleius Paterculus narrates that the tribes who were to slaughter Q. Varrus and his legions (A. D. 9) lulled him into a false security by submitting to Roman procedure: they hypocritically "thanked him for settling their disputes in the Roman fashion . . . and for ending by law contentions which they formerly ended by the sword."²⁷ It may be asked, whether given the state of Germanic society which Tacitus describes not long after, this settling of private quarrels must be understood of the wild private war of the savage? Or if on the contrary we do not already detect here the first organization of the regular Battle Trial. Such

²⁴ "Questro non voglio tacer io, che sotto il nome del nostro *Duello* possono venire dirittamente esempi di alcuna antica historia, . . . le quali sotto Scipione furono fatte in Hispania ne' giuochi da liu fatti per le esequie del padre et del zio, dove per via di disfide si vène a diverse battaglie" (Muzio, op. cit., p. 9). Muzio's conception of the *Duello*, it may be noted, is applicable to some at least of the modern Duels.

²⁵ "Questo costume di combattere per querele particolari . . . sotto la Signoria de gli antichi Romani non era in alcuna consuetudine. Anzi per differenza di honore si legge appresso Cesare, che Pulsio e Vareno si sfidaron a dover mostrare contra li nimiche gente il lor valore." (Muzio, op. cit., ibid.)

²⁶ "Un fait remarquable a relever . . . dans l'histoire de cette institution, c'est qu'elle n'apparaît que chez les nations de race germanique, et cela seulement depuis leur conversion au Christianisme." (Father De Smedt, loc. cit., p. 338.)

²⁷ "Simulantes fictas litium series, et nunc provocantes alter alterum *injuria*, nunc agentes gratias quod ea romana justitia finiret feritasque sua novitate incognita disciplinae mitesceret, et solita armis decerni jure terminarentur, in summam socordiam perduxere Quintilium." (Vell. Paterc. *Hist. Rom.* ii, 118.)

is the view expressed by Stiernhöök; speaking of the *cenwig*, or Gothic duels, in connection with the text just quoted, he says: "Velleius Paterculus mentions their use in Germany at the time of Cæsar Augustus;" he makes his opinion quite clear by stating: "Among these [means of discovering the truth] the Duel is the most ancient, dating almost from barbaric ages, and before the faith of Christ."²⁸ Here again the question whether these single combats may be called Duels or not is largely a question of words. The same must be said of similar instances found among the *Keltic population* of Western Europe. They also occasionally left the appointment to some offices to the chances of a single fight. Cæsar (de Bell. Gall. 6, 13) mentions that candidates for the office of High-Priest among the Druids "sometimes also contend for supremacy sword in hand." But combats of a more private character were a common occurrence. Father De Smedt, on the authority of M. d'Arbois de Jubainville, considers that the Keltic documents bear no trace of Judicial Combats, but testify to the frequency of conventional Duels.²⁹ The nature of these conflicts was as follows: "If the warriors quarrelled about their helping of food, or any matter of precedence they would get up and fight the question out to the death; and in more ancient times, the strongest man would seize the joint and *defy the company to mortal combat*. If no duel occurred during the meal, the guests were entertained with a sword play, or sometimes a man would die to amuse the rest."³⁰ That the *Bretons of Wales* also had some sort of Duel—called *Ornest* or *Ymornest*—is D. Wilkins' opinion.³¹ Lastly, if the testimony of Herodotus is to be trusted on this point, we find Duelling practised by another branch of the Indo-European family; *the Scythians*, he says, transform into drinking-cups "the skulls of their own kith and kin, if they have been at feud with them, and have vanquished them *in the presence of the King*."³² This last detail seems to authorize us to suspect

²⁸ Joh. O. Stiernhöök. *De Jure Sveonum et Gothorum vetusto libri duo* (Holmiae, 1672), p. 74. This theory is corroborated by the remarks which may be found in Canciani, loc. cit., vol. iv., pp. 5, 6.

²⁹ Father De Smedt, loc. cit., p. 338 note.

³⁰ Mr. Charles Elton, *Origins of English history*, p. 123, where the authorities will be found—Posidonius, apud Athenaeum, *Deipnosophist*, iv., 13 (Schweighaeuser, ii., p. 100): "Adpositis in coena pernis, quicumque fortissimus esset femur acciperet: sin alius id sibi vindicaret, singuli certamine congressi ad mortem depugnabant." See also *Origines Celticae*, by Mr. Edwin Guest, ii., p. 98.

³¹ In Canciani, op. cit., vol. iv., p. 426, c. 1: "Cambro-Britanni tamen vocem *ornest* habent pro duello, sive monomachia perinde et si Britannis olim in usu. Vid. *Dictionn. Britann. Lat.* in voce *Ornest* et *Ymornest*." But the origin of the word seems doubtful. See Lye-Manning, *Dictionn. Laxonico et Gothicò Latinum*, s. v. *Orrest*.

³² Herodotus, iv., 65; transl. of Prof. Geo. Rawlinson, iii., p. 54.

a more or less formal proceeding. To conclude with an extract against the opinion that Duelling is unknown in uncivilized countries, a very interesting custom may be mentioned here, which was in vogue among the *Maoris of New Zealand*, in case a man was convicted of adultery. The nature of the case seems to excuse a rather lengthy quotation. "When the paramour was a free man, the regular mode of proceeding was for the husband to go armed with a light spear, accompanied by several friends, to the offender's residence; who having had notice of his coming, awaited him similarly supported and armed. It was then decided whether *satisfaction or compensation* was to be given. If the former, the husband commenced the attack by rushing at the paramour's breast with his spear, who received the thrust in a position between sitting and standing, holding an erect spear in front by both hands, prepared to ward off the thrust. If this is parried the injured husband thrusts again and again. After the third thrust, the debt is paid, the paramour springs on his feet, and *both fight on even terms*. The first wound, if slight, ends the combat, if *mortal*, some relative seeks satisfaction: a general quarrel ensues, ceasing only when one party is beaten."³³

Such then are some of the *isolated specimens* of the Duel, more or less strictly so called found either in the field of well ascertained history, or in the less known regions of remote ages or of distant races; possible data for a complete survey of this moral phenomenon, but which are *not sufficient to explain its origin as a social institution*. The single combats of earlier times herald and suggest our modern Duel, but they are not the immediate source from which it has been evolved.

Mr. Augustine Birrell likes "to see an author leap-frog into his subject over the back of a brother;" one might enter upon this question of the *origin of Duelling* by "showing up" Cyclopedias and Dictionaries. This, however, would not be doing them justice: limited to a narrow space, they are called upon to solve in three words an intricate problem. In questions of social manners, just as in etymological questions, it may be fairly easy to collect the recorded instances and even to arrange them in chronological order; but to detect and prove the causal connection between them, is a task which will often leave competent judges undecided. This difficulty, which must always puzzle evolutionists—ethical and otherwise—is especially embarrassing in the matter at hand. The great majority of writers, following Montesquieu (*Esprit des lois*, l. xxviii.), take it that our modern Duel is the natural offspring of the Mediæval

³³ *The Story of New Zealand*, by Arthur S. Thomson (vol. i., pp. 178 foll.). We shall have occasion, when speaking of Judicial Combat, to mention other similar practices of Malay tribes.

Wager of Battle.³⁴ Mr. Storr (Enc. Britt. s. v. Duel) draws a sharp line of distinction between the history of the two practices; alluding to the case of a certain Jacques Legris in 1385, he writes: "Henceforward the duel in France ceases to be an appeal to Heaven, and becomes merely a satisfaction of wounded honour." It cannot be doubted that the practice of settling judicial contests by the sword has had a considerable influence in bringing about our modern Duel. The State acknowledged single combat as a legal way of deciding whether a man had been justly or wrongly insulted. It being understood that God helped the righteous against his wicked opponent, just as a mutual claim on a portion of land was settled by "Battel," so also were decided what we call affairs of honor. From the perusal of the old Teutonic laws, it seems that insults were punished only in case they proved to be without foundation;³⁵ naturally then, if, for instance, a Lombard had been called *arga*, the law allowed him to show by the Duel that the insult was ill-founded.³⁶ A passage of the law of Gothic Upland—the classical passage in the matter—is still more suggestive: "If a man say to a man an ignominious word: Thou art not a man worthy of the name, or Thou art not of a manly heart—I am (says the other) a man as well as you; these two shall meet at the crossing of three roads."³⁷ So it is that we find early writers on Duelling considering it as essentially a means of proving an assertion.³⁸ Indeed Gorville contends that modern Duelling owes its origin chiefly to the superstitious character of the Wager of Battle; because, he says, but for the belief in a supernatural intervention, which supposes no advantages on either side, how can be explained the reason why the opponents are made to fight on *equal* terms. (*Gentleman's Magazine*, vol. xxxi., p. 59.)

At the same time, the assertion that Duelling originated in Battle Trial again implies a question of definition. In a sense, and how-

³⁴ See, for instance, among more recent authorities, the QUARTERLY REVIEW, vol. 169, p. 198; the Edinburgh Review, vol. lxxv., p. 423: "These laws and customs [of the Gothic Battle Trials] are the true sources of the duel." Steinmetz takes exception: "The modern practice of Duelling cannot be traced to those national institutions of old [Battle Trial]." *The Romance of Duelling*, i., 23.

³⁵ For instance, *Lex Salica Ant.*, tit. 67, 2. "Si quis mulierem ingenuam striam clamaverit, aut meretricem, et convincere non poterit . . ." See following note.

³⁶ "Si quis alium Argam per furorem clamaverit . . . et si perseveraverit et dixerit, se posse probare per pugnam, convincat eum, si potuerit." *Leges Rotharis*, 384. (Canciani, op. cit. i., p. 97, c. 1.)

³⁷ "Si dicat vir viro probrosum verbum: non es vir viri compar, aut virili pectore: ego vero sum vir (inquit alter) qualis tu. Hi in trivio conveniunto." (J. O. Stiernhöök, loc. cit., p. 77.)

³⁸ See above the definition of Muzio; on p. 74 he speaks of the vanquished as "non havemdo probato quanto dovea provare."

ever paradoxical this may seem, Duelling might be said not to have sprung from, but *to have produced Judicial Combat*. Very early instances of Duels have been mentioned above, which, though intended to settle a disputed question, would not be considered Trials by Battle, for they were neither *legally recognized* nor supposed to decide a question of *right*. The opinion of Father De Smedt has been quoted; another writer, speaking of the ancient Scandinavian combats, says: "It is scarcely proper to give the name of judicial battle to such conflicts, to which, as in modern duel, the parties were incited, because no award of a judge could either redeem their honour or allay their feelings."³⁹ Perhaps also the view put forward by Stiernhöök tends to the same conclusion; he holds that in the old Scandinavia Duels were originally fought, not so much to settle a doubtful point, as to avenge insults and accusations of unmanliness and cowardice; later only was their use extended to other charges.⁴⁰ In connection with this theory, the following instance from an old Irish history is very suggestive: "On the appearance of the invading host [of Ailill and Medbh], Cuchulainn confronted them, and claiming the observance of the *strict laws of ancient Gaedhilic Chivalry*, demanded single combat, insisting that the invaders should not intrude farther into his territory until the victory of their champion and his own defeat should *justify their progress*." (E. O'Curry. *On the Manners and Customs of the Ancient Irish* II., 303.) At any rate, from the influence of Battle Trial in bringing about Duelling should not be drawn the conclusion sometimes arrived at, that the practice is unknown *outside the pale of the extended Teutonic influence*. The Maori duels have been alluded to; other instances of Judicial Combats in a larger sense are to be found among the *savages of the Malay Archipelago*, who settle their lawsuits, either by Battle, or by some less murderous physical contest. In Borneo, it happens that plaintiff and defendant, protected by a wooden cuirass, fight with lances; the first wounded loses the case; similar proceedings prevail in the primitive courts of Sumatra and of other isles.⁴¹

³⁹ *Edinburgh Review*, vol. 34, pp. 196 foll.

⁴⁰ "Apud nos antiquissimis temporibus magis ad contumelias et exprobationes imbelliae et ignaviae vindicandes directa fuerunt [duella], quam ad res dubias explicandas, ut patet ex lege quae extat ad finem juris Uplandici in hunc modum." Here follows the Gothic text and the Latin translation quoted above. "Talis antiquissima lex: postea verisimile est (nam nullae manifestae nobis de eo leges) ad causas promiscue omnes duella fuisse admissa" (op. cit., pp. 76, 77). Compare *Edinburgh Review*, vol. lxxx., p. 229: "Among the nations of Gothic descent, the trial by ordeal originated in the custom to which it soon returned, that of private duels."

⁴¹ Dr. A. H. Post, in *Das Ausland*, Wochenschrift für Erd- und Völkerkunde, 1891, p. 85 foll; quoted in *Stimmen aus Maria-Laach*, 1891, I., 490. An Arabian maxim quoted by Barrington (*Observations on the Statutes*, p. 547) alludes to single combats, but of what kind? "Challenge no man to fight a duel; but, if thou art challenged, thou must answer. If he that challenges be unjust, and thou just, there are hopes, through God's mercy, thou shall gain the victory." (Translation of Aleh's Aphorisms, by Wild.)

The Wager of Battle, as it was in the mediæval society, certainly contributed much to introduce the modern duel. But it must not be represented as its only source: a stream flowing from a lake may either be only an overflow of the latter, or it may simply run through it, and have risen higher up on the mountain; that Duelling was evolved into Battle Trial, and then received itself a fresh energy from the universality of its new form, is a theory which might be defended. But certainly other streams came to swell the custom which the mediæval courts of justice poured on towards modern civilization; was the latter more or less important than its tributaries? Though this might seem to savor of historical skepticism, in a question of this nature the causal connection between facts is very hard to prove positively. Customs are indeed enumerated, which, given their character, allow us to surmise that they had more or less influence in bringing about Duelling; whether and in what degree they actually fostered it, must, we submit, be left sub judice. Who will decide if Feudalism owes more to the system of the *latifundia* than to recommendation or to the Germanic war-band? So also, has not the part played by Battle Trial in producing Duelling been *exaggerated to the detriment of that of Jousts and of Private War?*

To mention Jousts first, perhaps not enough stress has been laid on the character of some of the warlike pastimes of mediæval Knights; a closer study would explain Th. Buckle's view that Duelling originated in Chivalry.⁴² There is no need to dwell here at length on the very general custom of tilts and tournaments prevailing in the higher ranks of society from the twelfth century down to the sixteenth; the special sort of tilts which calls for our attention is the *Joust*, also called *Tabula rotunda*, or encounter between two combatants only. In most cases indeed, Knights and Squires would give and accept challenges only "for the love of their lady" or "to exalt their honoure;" but it is easy to see how such a widespread and highly esteemed practice must have encouraged the supposed vindication of honour by the Duel. Indeed we know how frequently chivalrous nobles would break lances to "show their prowess." Froissart, who admiringly relates many a deed of arms, tells of a Scottish Knight, Johan Ossueton (Seton?), who during the siege of Noyon, rode up to the barriers and challenged the French, wishing, he said, to prove his "Knighthode" against theirs.⁴³ Nor were these encount-

⁴² *History of Civilization in England*, i., 584. "Quod namque non monachiam antiquorum, ut falso probare conati sunt qui hucusque duellum tractarunt, sed potius gladiatoriā duellum hujusce temporis referat, . . . hoc item attestari videtur, scilicet iisdem armis, atque eodem prope fine duellatores concertasse, quibus olim gladiatores pugnabant." Heronymus Mercurialis, *De Arte Gymnastica*, vi., 2. In J. Poleno's *Thesauri Antiquitatum supplementa*, iii., col. 704 B.

⁴³ Froissart's *Chroniques*. In the translation by John Bourchier, Lord Berners, (Reprinted London, 1812) vol. i., p. 417.

ers always mere harmless sport; Du Cange, in one of his *Dissertations* on Joinville distinguishes two kinds of tournaments: those of the first period, fought with blunt weapons, in which if accidents sometimes happened, it was against the intention of those who introduced this mock-fight; and the "*Armes à Outrance*," or "*Justes mortall*" of later times, in which the opponents were armed "with sharpe heedes well fyled," sword, dagger or battle-axe. These contests "for life or death," he adds, differed from the Judicial Duel, in that they were not ordered by a lawful judge.⁴⁴ How easily these practices (which were sometimes copied by the lower class), could lend themselves to the satisfaction of public or private enmities, may well be imagined. It was shown in a memorable instance: in 1274, the English King Edward I., attended by his nobility, met in a tourney the Count of Châlons and the Burgundians; such was the animosity and the jealousy of the combatants, that several remained on the field, "so much so that the Châlons encounter was not called a tournament but a little war."⁴⁵ True it is, this fight cannot be called a duel; but examples are not rare of "*armes à outrance*" fought by two champions only; the motive alone which prompted them seems to distinguish them from our modern Duel, which is supposed rather to restore honour than to bestow it. Yet, as might be expected, the mediæval Joust, once it was held to be the *test of valour*, came to be used as a means to wash away accusations of cowardice. Thus we find in Froissart's *Chronicles* the narrative of a Duel, in which Sir Peter Courtney, an English guest at the French court, was deadly wounded by the lord of Clary. On his return to Calais with the French Knight, who was charged to convey him, he stayed at the mansion of the Countess de Saint-Pol; speaking to her of his impressions on the "*manner of Fraunce*," he complained bitterly that he had been unable to accomplish any feat of arms; "wherefore, madame, he added, I saye and wyll say wheresoever I be come, that I coulde fynde none to do armes with me, and that was not in my defaute, but in the Knyghtes of Fraunce. The lorde of Clary noted well his wordes, and helde his pease with great payne;" but "whan they came near to Calais, . . . in the Kynge of Englandes lande," the Frenchman reminded Sir Peter Courtney of the words spoken "in ye Countesse of Saynt Poules chamber . . . : ye spake there over largely, to the great preiudyce and blame of the Knyghtes of Fraunce; . . . by ye whiche wordes may be understande that there is no Knyght in Fraunce that dare do

⁴⁴ Du Cange, *Dissertations sur l'histoire de St. Louis*, Diss. vii. In the *Glossarium* (Du Cange-Henschel) vol. vii., p. 29 of the Dissert.

⁴⁵ Henry Knighton, *De Event. Angl.*, I. ii., p. 2459, quoted in Du Cagne, loc. cit., p. 26, who refers also to Matthieu Paris, anno 1241: "invidia multorum ludum in proelium commutavit."

armes . . . with you." In conclusion, as "one of the Knyghtes of Fraunce," he challenges the Englishman to Justes mortall; the proposal having been accepted, "he made his provisyon as shortly as he myght, for he wolde natte that over many shulde have knownen thereof." The result was that "the lorde of Clary strake the Englyssche Knyght throughe the tarze and throughe the shulder a handfull," and was himself cast into prison by the King of France, for having "brought to the iepardye of dethe . . . a straunge Knyght under the Kynges savegarde."⁴⁶ So, a sport originally harmless and justified by the necessities of war, came to be the occasion of mortal combats, and our modern Duel certainly owes much to this incarnation of the warlike mediæval spirit.

Another manifestation of this spirit was the state of almost continuous hostilities prevailing among the petty feudal lords; and Duelling may also have found here a powerful incitement. "In Gaul, it would have been impossible to deny the right of war and peace to the great vassals of the crown, . . . and if the vassals of the crown might make war on each other, on what principle could the same right be refused to their vassals? . . . Among the endless links of the feudal chain, it was hard to find the exact point where sovereignty ended and simple property began."⁴⁷ Hence the sense of his own right to settle disputes by the sword given to each one of these diminutive sovereigns. Now, war in the Middle-Ages was not always of the nature of a disorderly scramble; it took sometimes the shape of *huge Duels* fought indeed by several hundred combatants, but *at a time and on a spot agreed upon* beforehand. This may be shown by a few instances of particular interest. In the year 1279, Peter of Arragon and Charles of Angers "agreed to make war in the following manner: they should meet for the combat in the plain of Bordeaux, having each of them a hundred men; . . . a hundred against a hundred, among whom themselves, Charles and Peter, should be numbered, on the first day of June; and he who should be vanquished, or should not be forthcoming on that day, should be disgraced forever, deprived of the royal honour and name, . . . and should content himself with only one servant."⁴⁸ Another example is that of two lords of lower standing: in the year 1017, took place "the deadly encounter between Duke Godfrey and Count Gerard. For, having long been at variance, they agreed on a certain day, on which, attended by their followers, they should decide their quarrel by certain judgment of a duel. In the month of

⁴⁶ Froissart's *Chroniques*, I. 4, c. 6. We quote from Lord Berners' translation (op. cit.) vol. ii., pp. 443-447. This encounter naturally suggests a comparison with the many duels fought by French soldiers during the occupation of Paris by the Allies.

⁴⁷ Prof. Freeman, *The Norman Conquest*, II., 238.

⁴⁸ *Annales H. Steronis Altah.* Freher-Struvius, *Rerum Germ. Script.* I., p. 566.

August . . . the combat took place *on the appointed spot*, the level ground of a blooming meadow.⁴⁹ When one notices such proceedings, remembering at the same time how the supreme prerogative of peace and war was scattered over the inferior detainers of feudal lordship, one cannot help feeling that they must have strongly contributed in bringing about the practice of Duelling. At a time when central authority was unable to call the private disputes of lords before its tribunal, the exercise of the usurped right of Private War must have taught the nobility to take into their own hands the avenging of the wrong they had suffered; hence the prejudice, so fatal in a later period, that some grievances cannot be settled by law, but that the parties must "fight it out."

By way of summing up the conclusions of this study, an answer may here be proposed to a double question. First, what was *the origin of Duelling?* Among the complex causes that went to introduce the practice, a double line of descent is traceable, one of play, the other of war. On the one hand, the Jousts of the Middle-Ages, which, like the modern student duels (Mensuren) of German Universities, acted as a training for and an encouragement to real duels; and on the other, the principle of private revenge, either in its raw native form, or codified and ennobled by superstition under the name of Battle Trial. As often happens in tracing the development of institutions, we notice that these two roots of Duelling strike deep in the history of peoples. Mediæval Jousts were at first only a renewal of the sham-fights or of the exercises practised by Greek and Roman soldiers, as well as by the youths of Germanic tribes (Tacitus. *Germ.* XIII.).⁵⁰ Private War, as we observe it in Feudalism at its height, takes us back to the most primitive stages of civilization. When, for want of ethical knowledge, or of a powerful arbiter, conflicting rights cannot be settled, recourse is had to physical force. So, private revenge is found to be a custom of the ancient Jewish people, as well as of "the ancient Greeks, Germans and Slavs, some North American tribes, the modern Sicilians, Corsicans and Arabs."⁵¹ In the Middle-Ages, it was practised on a larger scale and sometimes with pre-arrangement, thanks to the proximity of other causes of Duelling; but it was only the renewal of a custom of earlier times. Concurrently with Private War, another factor, Bat-

⁴⁹ "Adjiciam mortiferum Godefredi Ducus et Gerardi Comitis Congressum. Illi namque, diu invicem discordes, certum condixere diem, qua cum suis fautoribus haec certo duelli judicio discernerent. Mense Augusto, . . . in quadam prati florentis planicie condicta confligebant." *Ex Chronico Ditmari episc. Mersburg. Historiens des Gaules*, vol. x., p. 135 E.

⁵⁰ See *Kirchenlexicon*, loc. cit. Hieronymus Mercurialis, loc. cit.

⁵¹ Prof. J. D. Prince in the *Jewish Encyclopedia* (New York, 1902) s. v. *Avenger of blood*.

tle Trial, has been shown to have influenced the growth of Duelling; but Battle Trial in its origin is only a derived form of Private War, which was gradually evolved and rose to the dignity of judicial proceeding. It was born from the efforts of elementary states, which, unable to force their arbitrament on "self-governing" individuals, hedged in the practice of blood feuds by calling them to their tribunal; authorizing and even prescribing the Battle in certain definite cases, these new-born administrations raised it to the dignity of an institution, to which superstition added an awful meaning and the majesty of a religious transaction.⁵² Thus it is under quite a new shape that we have seen this sort of single combat contributing to the spread of Duelling; for all that, it can be recognized as originally branching off from the rough trunk of Private War.

The far reaching character of these more immediate causes of Duelling leads naturally to our second question: What is the area of social life over which Duelling extends? Or *in what stages of civilization* is the practice to be detected? The reader must be left to judge if the instances of single combats in the embryonic state of civilization, whether among the inhabitants of Ancient Europe, or among the savages of Oceania may be termed Duels; and consequently how far ethics must be called a *practical* science when it treats of Duelling in the state of nature.

Whatever be the answer to this particular point, in a time when most doctrinal and ethical questions are considered in their historical development, this study of the early growth of a social disease is a natural and necessary basis for its treatment from an ethical standpoint.

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SOME OF THE ADVANTAGES OF THE CATHOLIC UNIVERSITY.

THE question of making the Catholic University the centre of our entire school system will be discussed in this Essay.

The experiment would awaken more than ordinary interest. There is nothing novel in the idea: it is simply the application of the principle of unification to our Catholic school system. If successful, new life would be infused into our educational institutions, and the success of the University would be assured. The mediæval universities tested the idea and found it helpful. It is in successful operation now in the Catholic Universities of Louvain, Friburg and

⁵² See Father De Smedt, *op. cit.*

Lille and Lavalle where Catholic schools and colleges are affiliated. The idea prevails also among non-Catholic universities. London University is a good example: she is the mother of "University extension" in its various forms, which reverses the idea of university life. The University of France illustrates the possibility of having one central institution to dominate and stimulate our entire Catholic school system. Nearer home, we have a better illustration of what I mean: viz., the University of the state of New York. It has been in operation for upwards of one hundred years, and though in the beginning a rude machine, it has been brought to a wonderful degree of perfection. All its activities are for intellectual life. Its duties are chiefly of a supervisory nature. It is composed of five hundred incorporated institutions scattered throughout the state. It is directed by a body of men chosen from among the foremost citizens of the community. Each college or academy has its own charter and it has no interference whatever, except in stimulating, harmonizing and encouraging pupils and teachers to secure the very best results possible. Now this is just what we need for our Catholic school system. Why cannot our Catholic University do this work? We are assured that this is the earnest wish of our glorious Pontiff, Leo XIII. Let us examine a few of the advantages of a Catholic University.

I.

In the first place we might ask the question, why the Holy See, through its present illustrious head, Pope Leo XIII., recommended to the American hierarchy the establishment of a Catholic University at Washington. Was it for the sake of the advancement of the sciences, or for the benefit of the Catholic youth of these United States? The answer is clear. The Catholic University was recommended solely for the sake of our Catholic youth. The Church encourages and patronizes the arts and sciences for the sake of religion. She rejoices in the widest and most perfect system of education from an intimate conviction that truth is her ally as it is her profession, and that knowledge and reason are the handmaids of religion.

From this it is evident that the chief object of the Holy See in establishing our Catholic University at Washington was the moral and intellectual development of our Catholic youth, with a view to their spiritual welfare and their religious influence, so that they might fill their respective places in life better by making them more intelligent members of society. It was not therefore simply to develop professional skill in science and literature, that the University was founded, but to benefit the Catholic youth of these

United States. Consequently, it is not an institution merely to stimulate philosophical inquiry or to extend the boundaries of knowledge. All this is excellent, but there are numerous other institutions adapted for that purpose. It is a singular fact that very few of the great discoveries were made in universities. Of course there are noteworthy exceptions. The object, then, of a Catholic University at Washington is not simply to protect the interests of science and literature, but to make its students cultured Catholics and intelligent citizens of the United States. It does not seem rash to say that we Catholics are as anxious as our non-Catholic neighbors to have the advantages of a university education. We would consider it prejudicial to the interests of religion that our children should be less cultured and educated than others. At a great sacrifice we build and support our own schools and we are willing to apply the same principle as regards higher education. We all realize that without this latter we are handicapped. The Protestant youths of the country who have the means and inclination continue their studies till the age of twenty-two or twenty-three, and thus they employ, in serious studies, the time of life most important and most favorable to mental culture. Most of our Catholic youths end their education at sixteen or seventeen, and consequently, in the great struggle for place and advancement, they cannot be considered a match for youths who end their studies three or four years later in life. This explains why so few of our Catholic laity are holding the highest places in the various walks of life. They are handicapped for the want of a university education. The consequences are that Catholics who aspired to be on a level with Protestants in discipline and refinement of intellect in the past, were obliged to have recourse to Protestant universities to obtain what they could not find at home. This is one of the many reasons why we should glory in the blessings of a Catholic University, for it will afford the advantages of higher education in the best Catholic form.

We might ask, what are these advantages? They may be summed up in one sentence—the culture of the intellect. The most of the Catholics of these United States came here penniless, oppressed, and robbed of educational advantages. For centuries they had been deprived of any education necessary for the man of the world, the statesman, the professional man, or the cultured gentleman. Thank God, this moral disability is being removed. In founding a university, our desire is, not polished manners and elegant habits only: these can be acquired in various other ways, such as by frequenting good society, by travel, by cultivating a taste for home study and refinement, and by the grace and dignity of a well regulated Catholic mind. But the force, the steadiness, the comprehensiveness and the

versatility of intellect, the command over our own powers, the just estimate of things as they pass before us, requires, as a rule, much effort and the exercise of years.

This is real culture. It manifests itself in a polish of manners and speech which is beautiful in itself and pleasing to others. But it does more. It trains the mind and brings it into form, for the mind is like the body. Young people outgrow their form; their limbs have to be knit together and their system needs building up. They often mistake their youthful spirits and overtax their strength. This is a good picture of the condition of the mind. They have no principles laid down within them as a foundation for the intellect to build upon; they have no discriminating convictions, no grasp of consequences. And therefore they talk at random if they attempt any lengthy discourse. They fail to perceive things as they are.

What is more common than the sight of grown up men talking on all kinds of subjects in that flippant manner that evidences that they do not know what they are talking about. Such persons have no difficulty in contradicting themselves in successive sentences without being conscious of it. Others can never see the point, and find no difficulties in the most difficult subjects. Others are hopelessly obstinate and prejudiced and after having been driven from their opinions, return to them the next moment without even knowing why. Others are so intemperate that there is no greater calamity for a good cause than that they should take hold of it. This delineation of intellectual shortcomings is common to the world at large. It is an evil which is to be met with everywhere, and to which Catholics are not less exposed than the rest of mankind.

When the intellect has once been properly trained and formed so as to have a connected view of things, it will display its powers with more or less effect, according to the mental capacity of the individual. With most men it makes itself felt in the good sense, sobriety of thought, honesty, self-command and steadiness of view which characterize it. In some it will have developed habits of business and the power of influencing others. In others it will draw out the talent of philosophical speculation and lead the mind forward to eminence in this or that department. In all, it will be a faculty of entering with ease into any subject of thought, and of taking up with ease the study of any science or profession. All this, university training will do even when the mental formation is made after a model but partially true; for as far as effectiveness goes, even false views of things have more influence and inspire more respect than no views at all, and hence the infidel, the heretic and the fanatic are able to do much, while the Christian who has never realized the meaning of the truths which he holds, is unable to do much. He

will, no doubt, save his soul, but will do little to influence others. Now if consistency of view can add so much strength even to error, what may it not be expected to furnish to the influence of truth?

II.

To-day the Church, in every quarter of the globe, is strenuously striving to establish Catholic universities. The movement implies that there are essential elements omitted in the present systems of education which are under the patronage of the state. The Church is no novice on the question of education. She has had too long an experience not to know when to approve and when to censure. She taught the barbarian hordes how to read; she formed them into Christian nations; she built for them the mediæval universities. It was under her guidance that the great schools of Paris, Boulogne, Padua, Oxford, Cambridge and of all of Europe, attained their maturity and were crowned with that halo of glory that hangs around them even to the present day. And when these schools passed out of her hands and ceased to do her work, she begins anew and lays the foundations of similar institutions which generations to come will regard with the same reverence with which we, at the present, regard her past works. Those who know not her untiring patience and divine origin, think her old and decrepit, and look upon all such efforts as the fancies of a second childhood. They forget that the Church is never old; she is as young and vigorous to-day as she was in the morning of her creation, and will so continue till the end of time. She is the custodian of principles both of reason and revelation, and her principles are unchanging and unchangeable. With the progress of time, views and opinions and systems are born, become mature, and die, to be replaced by others; but with these she does not identify herself. When they are the outcome of the principles placed in her keeping, she fosters them; when they contradict those principles, she opposes them and holds it her duty to call the attention of all to what is of truth. Now as thought is ever active, so too it is ever developing, and in its onward march, it partakes of the distinct coloring of each successive age. The spirit of each period will scatter among the seeds of truth also the tares of error. To root up and suppress these tares is part of the Church's mission; and as they vary with each epoch, so will her means of destroying them vary. A doctrinal error is broached, and she holds an ecumenical council to define the truth opposed to that error. Some false principle threatens the faith and morals of her children, and she encourages religious organizations with a spirit and scope directly opposite. And so when education, under the direction of

the state, became dangerous, owing to the lack of religious instruction, she, at once, established her own schools on a religious basis. She knew that her efforts would be only partially successful unless she had control of education in its higher phases. Therefore her eagerness to see Catholic universities wherever Catholics are able to support them.

The functions of such a university are many and far reaching. Therein may the children of the Church be well grounded in the reasons for the faith that is in them; therein may they leisurely and effectively coördinate all her doctrines and note the points at which each touches the other and see their harmonious relations as a whole; therein they may learn to reconcile scientific truth with the teachings of revelation; therein may be rounded the minds of the professors and teachers intended for our elementary and secondary schools; and thus may its beneficial effects be felt in all classes of society. It will mould intellectual action; it will create new spirit; it will infuse new life into educated Catholics.

We must bear in mind, however, that a university is not the work of a day. It is only through difficulties that it can grow into greatness. It must have large and commodious buildings; it must pay eminent professors; it must gather together a good library; it must have scientific cabinets; it must possess a goodly store of chemical and philosophic apparatus. All this involves considerable expense. Then a university is an institution of slow growth. The nature of the studies pursued and the advanced age at which young men are prepared to pursue them, render the attendance comparatively small. At most they are few who have the leisure and means to fit themselves for a university training and pass through its complete curriculum. For this and other reasons, a university, in its beginning, is not a paying institution. It must be a burden upon any body of men starting it. Only after years of work, hard, earnest, sincere, and often thankless work, when its Alumni will be able to speak for it, and its necessity shall have imperceptibly grown upon the people, will it begin to stand upon its own basis. But first it must work out a name, position and a prestige for itself. These achieved, men will wonder how their ancestors could ever have gotten on without such an institution. All honor then to those generous souls who bear the burden and heat of the day, and in silence labor hard in laying the foundations of institutions, the success of which theirs it will not be the lot to catch a glimpse of.

It is now upwards of fifteen years since the hierarchy of these United States undertook to establish a Catholic University at Washington, D. C. They began, possessing nothing, but they soon found generous friends who fully appreciated their efforts. They

did not want to trust their children to the secular universities that abound in every state; the lack of religious training in them is a defect which cannot be made up by other advantages, no matter how numerous or important. Catholic faith cost too much to barter it away for a feed of intellectual husks, and Catholics were prepared to bear this additional expense. They remembered that their fore-fathers had abandoned titles, power, wealth, education and even life itself, rather than forfeit the least jot or tittle of that precious article, and they were willing to maintain a university in addition to the burden of a dual system of education. This is why they undertook to build a university and to equip it with a magnificent corps of professors that would shed lustre on older institutions. They placed at its head a man who was well qualified for the position, the Right Rev. John J. Keane, D. D., the present Archbishop of Dubuque, Ia. He brought to the great work a love for it and a zeal for its success, and a joy in fulfilling his onerous duties that will never be forgotten by his friends and admirers. He possessed the rare power of being eloquent and magnetic in the pulpit and on the platform. His appeals to raise funds to place the institution on a sound financial basis were wonderfully successful. His individual traits of character were such as to endear him in a remarkable degree to professors and pupils. His personal influence with non-Catholics was great. All embarrassment vanished before his gentleness and winning manners. But it were doing him an injustice to represent him as all sweetness and meekness. He could be also strong. Such was the first rector of the Catholic University. For nine years he held this difficult position with a full sense of the responsibility attached to it, a just appreciation of the great work expected of him, and a true estimate of the character and intellect of the American youth with whom he had to deal.

In addition to the regular classes in the various departments, he inaugurated a course of lectures for the people of Washington. He also started the "University Bulletin" with the object of educating young and old up to the spirit and workings of a university system that aimed at being in touch with every element in the American Church. He gathered around him a corps of able professors—some of them having an international reputation in their various departments, and all having the true spirit of up-to-date educators. For a time it seemed that the University started by His Eminence Cardinal James Gibbons and the American hierarchy, with the blessing of our illustrious Pontiff Leo XIII., was to take its place among the great Catholic universities of the world. But Bishop Keane resigned in 1897, after having made a noble effort to weather the storm that came so unexpectedly upon him.

The Right Rev. Thomas Conaty, D. D., was chosen by the Holy Father to fill the vacancy, and how faithfully, successfully and untiringly he labored for its success during the past six years is a matter known to all familiar with the history of the University. He was eminently qualified to succeed. Possessed of a native wit and cleverness, knowing the world thoroughly, happy in his dealings with men, he evidenced on many occasions rare tact and readiness. He is a man of many resources when there is a question of doing good; his zeal is boundless. He is endowed with great personal magnetism and is an able speaker. He is a leader in many of the movements of the day for the bettering of the masses. His views are broad, and he has the rare gift of being tolerant of opinion, when it differs from his own. He recently resigned, and has been appointed to fill the vacant See of Los Angeles, Cal. His many friends follow him with their best wishes.

The third rector, Right Rev. Mgr. D. J. O'Connell, D. D., has just been installed. He is no stranger to Americans. For the past twenty years he has been a resident of Italy, "the University of the world." He is familiar with advanced scholastic methods, having received distinguished honors during his university course at Rome. He was appointed president of the American College, which position he filled for a number of years. Ten years ago he retired from the presidency of the College and his retirement afforded him an opportunity to pursue private studies. All this time he lived in an atmosphere of culture and learning. A simple residence in Rome is, in itself, an education. Every foot of earth in it is sacred ground; historic traditions hover everywhere. The inexhaustible wealth of the Vatican Museum and Library would supply groundwork for literary and scientific investigation for the longest life. A man with such varied advantages for the cultivation of head and heart must exercise a permanent influence for good upon the young men who will come to this seat of learning. It is a source of gratification to know that he has been warmly welcomed to his new office by the hierarchy of the whole country. He brings a special loving appeal to the Catholics of the United States from our beloved Pontiff, Leo XIII., urging the clergy and laity to make one more great effort in placing the University on a firm basis.

III.

The Catholic University, though beginning under bright auspices, has not received the patronage and confidence it deserves. It may be that we are not educated up to a sense of its necessity. In this shortcoming we are not alone. Protestants, too, are not alive to the

necessity of university education in the higher sense of the term. They attend Yale, Harvard and Syracuse, etc., not for educational purposes only, but also for political and social influence. They make acquaintances and form associations while there, and these same associates they meet in after life, not as strangers, but as old friends. The result is they have not to struggle for years to get a recognition ; they are pushed into place at once. No doubt this temporary advantage is one of the reasons that induce Catholic parents to withhold their patronage from their own University. But this advantage should be regarded as a mere trifle when weighed against the many superior educational advantages to be derived therefrom, especially that greatest of all—the strengthening of the faith of their children.

Indeed Protestants as well as Catholics should be interested in the Catholic University. It is destined to become an impregnable bulwark against the attacks of irreligion. Its professors should give the proper cues for the right understanding of the new departures of science in its relation with revealed religion. It is only in the study of principles that true philosophy is found, and for these we must look to Catholic teaching. Hegel and Herbert Spencer can never take the place of Aristotle and St. Thomas. It is only in scholastic philosophy that the truths and principles exist, by means of which modern sophistries may be successfully refuted. The Catholic University should be the citadel of defense to meet the modern modes of intellectual warfare on revealed truth. The great conflict to-day is between infidelity and Christianity.

These are the days when every lover of truth should put forth his whole strength in its defense. Whoever has a timely word to say, should say it in the best and the most forcible manner possible. The day of voluminous treatises is forever past. Men are too busy to spend time on labored folios. The short essay and the brilliant lecture are taking the place of the cumbersome compilation. Our opponents are alive to this fact. They monopolize most of the magazines and reviews within their reach. The ablest writers of the day are enlisted in the interest of every form of unbelief. Men living in such an atmosphere are soon perverted, for they find it easier to doubt and question than to prove and refute. We must look to the Catholic University at Washington and the Catholic universities of the world to establish counter currents to the irreligion of the day.

For this reason and many others that might be adduced, we all should unite in making the Catholic University the crown of our entire educational system. Its influence should be felt from the kindergarten in our primary schools, up through academies, institutes, colleges and seminaries. It might perform the special work

of the religious and secular universities that I have already mentioned and thus influence every Catholic educational institution in these United States. Then we would have a common source of direction and supervision. There need be no interference with the particular methods used by our great teaching orders, male and female. The University would encourage teachers and pupils all along the line. It would, in other words, be a great supervisory board for our entire educational system, with one aim and object, to secure the best results possible in every department. Thus it would stimulate teachers and pupils. We need some such stimulus. Our academies and colleges are doing good work, God bless them, but they need encouragement. Unification is the cry of the public schools in our Empire State, and why should it not form the battle cry of our Catholic school system? If the federation of our Catholic societies would prove a blessing, why not the federation of our entire school system? I fully realize the difficulties in the way, but there is a starting point for all such movements. Bishop Conaty sounded the correct note in the college conferences. This was a step in the right direction, but let it be broadened and extended not alone to college entrance and the equal value of diplomas representing academic honors, but let us also apply it to all text books necessary for the higher studies touching science and religion. The fact is we need new text books on pedagogy, history of education, psychology, ethics, and English literature. Then we need badly a series of catechisms well graded for secondary schools and colleges. The text books we have are not exactly what we want. They have served their day and reflect credit on the busy priests and religious communities, but now we want something more up to date; something in keeping with the advance made along the lines of secular text books. The University can, in time, do this work and even now can direct and encourage such work. In a word, the University should be in touch with Catholic education, Catholic thought, and Catholic life from the east to the west, from the north to the south.

A chair on pedagogy should be established. Pedagogy has gone crazy. The text books introduced into our normal schools and high schools and teachers training classes, are a disgrace to all believers in revealed religion. The major part of these text books are taken up with reviling time honored educational institutions, and insulting the most law abiding portion of our glorious republic. The establishment of a Chair of Pedagogy at the University will help to set matters right by teaching the truth about this much distorted subject. It is a charity to teach our neighbors the true meaning of the eighth commandment: "Thou shalt not bear false witness against thy neighbor." This will add weight to the University in edu-

tional matters. Then pedagogical courses established in all our great centres will have a real value. But more of this at another time.

IV.

It is of the utmost importance that the Catholic University succeed, but it must be generously supported through years of struggle. The clergy must encourage it and educate the people up to its nature and necessity. The prelates must exert themselves and see that those in their diocese for whom it was established patronize it. They must not be content with simply giving it approval. They must do more: they must lead the way to raising sufficient funds for its support and endowment. The various educational bodies who have colleges and schools of their own should encourage their young men, on leaving them, to complete their studies in the University.

One of the most encouraging signs of the times is the remarkable clustering of religious orders round this great educational institution. Already the Dominicans, Franciscans, Oblates of Mary, Fathers of the Holy Cross, Sulpicians, Paulists, Marists, etc., have located there and have built or are building magnificent structures for their students. They circle round the University as well disciplined children gather round loving parents. The University represents, through its secular clergy, the root and trunk of this great educational tree, while the various religious orders and the Catholic laity represent its branches, blossoms, and fruitage. The University is the apex, the watch tower; the various religious families of the Church are the walls and fortifications of this great citadel of truth.

Let us build up our University, therefore, on the lines suggested in this Essay, and encourage our new rector, Right Rev. Mgr. D. J. O'Connell, who comes to his new field of labor blessed by our illustrious Pontiff, Leo XIII. The University is a test of the Church's vitality. Catholic charities and Catholic intellects built up and endowed all the great universities of the world. Shall the Catholic charities and Catholic intellects of our glorious republic form an exception? We answer emphatically, *No.*

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"LEST WE FORGET."

(Suggested by the late meeting of the British Association for the Advancement of Science.)

THE British Association for the Advancement of Science held, in October of last year, another of its meetings in the city of Belfast, Ireland. It would indeed be strange if a meeting of this illustrious body should convene and adjourn in that city without some allusion on its part to the famous meeting of twenty-eight years ago. It was here, under precisely the same auspices, that the late Professor Tyndall gave forth to the world his famous utterance, now familiar to the world under the title of the "Belfast Address." That address has, for scientific weal or for scientific woe, now passed into history. The present president of the Association, Professor Dewar, was right when at the recent meeting he referred to Tyndall's famous utterance as "an epoch-making deliverance." An epoch-making deliverance it certainly was, but hardly in the sense mildly intimated by Professor Dewar.

Indeed there was the widest possible difference between the meeting of 1874 and that of 1902, and nothing is more remarkable than the difference of key in which the principal address on each occasion was pitched. Each was a true indication of the spirit prevalent at the time of its utterance. Tyndall's address in 1874 was the prolonged clarion note of nineteenth century science. It was the bugle call to victory. Its vaunting boasts, its insolent aggressiveness, its supreme arrogance, its unhesitating and overweening confidence in the triumph of its manifold hypotheses, its domineering and insulting tone towards all thought which differed from it—whether in the past or in the present, whether in Grecian philosophy or modern religion—its swagger and bravado—all were supremely characteristic of the science of the day; and they are all thrown into marked contrast by the very humble and submissive tone and manner of Professor Dewar's address. It is indeed true that Professor Dewar makes some show of justifying Tyndall's attitude. He does, indeed, quote the words of the bellicose Tyndall in which he vauntingly prophesied "we claim, and we shall wrest, from theology the entire domain of cosmological theory." He even maintains that "this claim has been practically, though often unconsciously, conceded." Nowhere, however, does he pretend to show how or where the famous vaticination has been verified—a proceeding which would have been very much in order, and which we may feel assured would not by any means be omitted, did the facts warrant it, or were the data in hand with which to demonstrate it. Nay, it is an extremely significant fact that the only justification which he seems to find for the

Tyndallic prophesies are the somewhat hasty "concessions" of panic-stricken theologists.

But even the attempted justification of Tyndall's address is manifestly nothing more than the tactics of a skilful general, who makes an attempt at a demonstration for the purpose of covering a retreat; and although the manœuvring of Professor Dewar may still appear to have a slight semblance of lingering pugnacity about it, nevertheless the spirit of belligerency is manifestly broken, the lofty tone of scornful defiance, so long familiar, is conspicuous by its absence; and we are actually informed that science has, at last, assumed an attitude of reverence and humility to which it has long been a stranger. It is even admitted on behalf of the scientist, that, "however seemingly bold may be the speculation in which he permits himself to indulge, he does not claim for his hypothesis more than a provisional validity." And we further learn from Professor Dewar that science has profited somewhat by its late experience; for he also adds, that the scientist "does not forget that to-morrow may bring a new experience compelling him to recast the hypothesis of to-day"—a lesson which it is to be hoped the youthful scientist will lay to heart, inasmuch as it has been so frequently overlooked in the past, and since forgetfulness of it has given rise to so much confusion by confounding hypothesis with certainty and endowing it with all the absoluteness of fact. Indeed there is some danger that the reaction may carry the scientist too far in the opposite direction from the Tyndallic attitude; for, strangely enough, Professor Dewar now boasts of what he is pleased to term "the plasticity of scientific thought, depending on reverent recognition of the vastness of the unknown." In other words science would now seem to boast of the uncertainty of its teachings; and hesitancy and timidity are to take the place of the cocksureness which has so long been regnant in the kingdom of scientific speculation.

This remarkable revolution of scientific sentiment—this reverent and humble attitude of scientists—contrasts so strongly with the attitude of the same body twenty-eight years ago, that no subject can be more interesting than an inquiry into the cause of this change of front. Such an inquiry will be the subject of this article. Not that we can in a few brief pages do justice to a subject for which a volume would hardly suffice; but it is well to remind the scientist of to-day of the precocious dogmatism of the past quarter of a century, lest we, too, pursuing vanities, be filled with foolish imaginings or led by empty conceits.

The fact is, the time has come for adding another chapter to the late Dr. Draper's famous "History of the Conflict Between Science and Religion." The new chapter should be the most interesting, as

it would be the most important, of all. The material (which is so abundant) lies between the famous Belfast address on the one hand and that of Professor Dewar on the other. In the light of recent events there is no more disgraceful chapter in the annals of speculative thought. It should bring the blush of shame to the cheek of every true friend of science to revert to an epoch when scientific vanity was in the ascendant; when truth was sacrificed on the altar of speculation; when dogmatism—loud and blatant—was based on baseless assumption; when all other studies but that of science were insulted and decried; and when even the patient, industrious scientist, who toiled faithfully in his laboratory in search of practical results from applied science, was held up to pity or to scorn.

M. Brunetiere was right when he said some years ago that science was "bankrupt." But this statement was but half the truth. Not only was there a bursting of the scientific bubble, but there seems to have been an attempted hypothecation of fictitious scientific values from the outset; and it is exceedingly difficult to absolve the entire movement from a suspicion of fraudulence and dishonesty from the start. Indeed it is high time to impeach the speculative science of the nineteenth century of high crimes and misdemeanors against the sacred law of scientific truth, whether we regard the results achieved or the methods employed. It appears at the bar of the twentieth century absolutely barren of results; while the unbridled insolence, the impudent and shameless effrontery, the preposterous vanity and conceit, the brutal intolerance, the wanton and revolting arrogance, the brag, the bluster, the boasting and bravado, are without a parallel in the history of civilized thought. The chidings and revilings, the challengings and threatenings have their counterpart only in the prize-ring in our day, in the war-dance of the savage, in the outpourings of Thersites, in the vociferous preludes of Goliath of Geth, or in the *fe, fo, fum* of the nursery-tale giant. To show that we do not exaggerate let us quote—almost at random—from the war-cries of Huxley and Tyndall.

Of Aristotle, the great master-mind of Grecian philosophy, Tyndall unhesitatingly tells us, that "it was not, I believe, misdirection, but sheer natural incapacity which lay at the root of his mistakes." This Aristotelian "incapacity" is thus summed up by the precocious son of the nineteenth-century science:

"Indistinctness of ideas, confusion of mind, and a confident use of language which led to the delusive notion that he had really mastered his subject, while he had, as yet, failed to grasp even the elements of it. He put words in the place of things, subject in the place of object. He preached induction without practicing it, inverting the true order of inquiry, by passing from the general to the particular, instead of from the particular to the general."

The fame of the Stagyrite, however, has been shining with undimmed glory for more than two thousand years, and is to-day as brilliant as ever; while a decade after Tyndall's death, the name of the precocious critic is barely remembered. But if the old "master of those who know" received such usage at the hands of the scientist, woe betide the luckless disciple. Aristotle was dead more than two thousand years; with him there could be no battle. His followers, however, still lived, and they were eagerly challenged to the fray, with the cry: "We fought and won our battle even in the Middle Ages; should we doubt the issue of another conflict with the broken foe?"

This ardor for battle was the true scientific spirit in the age just expiring, and the same scientific warrior outlines the battle-ground in part:

"The impregnable position of science may be described in a few words. We claim, and we shall wrest from theology, the entire domain of cosmological theory."

Now his adversaries were "a band of Jesuits, weaving their schemes of intellectual slavery, under the innocent guise of education." Now it is the Book of Genesis which is flatly told that it "has no voice in scientific questions." Now it is an Anglican Church Congress which is reminded of "its manifold confusions," of its "conflict of vanities," of its "more embroidered colleagues;" and which is encouragingly assured that even for it "the light (of science) is dawning, and it will become stronger as time goes on." With the genuine scientific egotism he proclaims his own superiority to the world at large and talks of what "I must regard as the extravagances of the religious world." He laments and commiserates "the very inadequate and foolish notions concerning this universe which are entertained by the majority of our authorized religious teachers." He bewails "the waste of energy on the part of good men over things unworthy of the attention of enlightened heathens." And standing as he did in the midst of so many wild religious unscientific chimeras, he felt himself constrained to enlighten the world and correct its manifold errors "concerning this universe," by giving it "a statement of more reasonable views—views more in accordance with the verities which science has brought to light." Presently we shall see what may be the value of these "more reasonable views," and how vast an improvement they are on "the very inadequate and foolish notions concerning this universe entertained . . . by religious teachers." Such, however, was the courteous language to which opponents were treated.

Huxley's onslaughts on religious thought were, if anything, more arrogant and brutal. He was even more haughty and intolerant

than Tyndall. The strut scientific was with him of the same order, simply deriving a new character from the individual. An unmitigated scorn of everything that did not begin and end in the speculations of physical science was the dominant note in his utterances; while belligerency was his favorite attitude. Opponents were admonished that "extinguished theologians lie around the cradle of every science." They were significantly reminded that "history records that whenever science and orthodoxy have been fairly opposed, the latter has been forced to retire from the lists, bleeding and crushed, if not annihilated, scotched, if not slain." "Orthodoxy," he declared "the Bourbon of the world of thought. It learns not, neither can it forget. And although at present bewildered and afraid to move" it was still declared anathema from science because it hesitated to accept every haphazard hypothesis which the scientists might see fit to broach. Catholicity especially came in for more than its share of the perennial storm from the Huxleyan scientific trade winds. The worst censure which he could pass upon the *Philosophié Positivé* of Auguste Comte was to declare that it "contained a great deal as thoroughly antagonistic to the very essence of science as Catholicism." Of one special passage in the Positive Philosophy he says that "Nothing in ultramontane Catholicism can, in my judgment, be more completely sacerdotal, more entirely anti-scientific than this dictum." The author of "My Clerical Friends," long ago, made another phrase of Huxley's immortal. It is: "Our great antagonist—I speak as a man of science—the Roman Catholic Church, the one great spiritual organization which is able to resist, and must as a matter of life and death, resist the progress of science and modern civilization." In 1870, during the Vatican Council, Huxley gravely told the Cambridge Young Men's Christian Society that "the Schoolmen are forgotten;" and in the same breath facetiously added, "And the Cardinals—well, the Cardinals are at the *Œcuménical Council*, still at their old business of trying to stop the movement of the world." At one time he was "helping Providence by knocking impostures on the head." At another he was "whirling featherheads into all sorts of eccentric orbits." Again he was speaking disdainfully of "the comfortable champions of Anglicanism and of Dissent." And all the while with the true spirit of the vandal, he was insisting on overturning and destroying, or, as he himself puts it, "on reopening all questions, and asking all institutions, however venerable, by what right they exist."

The insolence and arrogance were surpassed only by the egotism and vanity which were everywhere visible. Significantly was the world informed that "one or two men were then living who had pro-

duced thoughts which would live and grow as long as mankind lasts." The achievements of Newton, of Cuvier, of Davy, all paled into insignificance beside the wonders of Huxley and Tyndall. The Huxleyan epoch had distanced all past ages "whether we consider the improvements of methods of investigation, or the increase in the bulk of solid knowledge." Nay more, the world was informed that science, by its methods, had leavened the world. It was bidden to "consider that the methods of physical science are slowly spreading into all investigations, and that proofs as valid as those required by her canons of investigation, are being demanded of all doctrines which ask for men's assent." Now, thanks to science—and especially to scientists—"reason has asserted and exercised her primacy over all provinces of human activity, and ecclesiastical authority has been relegated to its proper place." In a word, all the good and great blessings which had come into the world, had come through the instrumentality of science, or better still the scientists. The common herd was gravely admonished that, "if the twentieth century is to be better than the nineteenth, it will be because there are among us men" like Huxley, Tyndall, Darwin and Spencer. It was true their own generation and country might fail to accord due honor to the prophets. Their contemporaries might even fail to recognize their greatness. A few broad hints as to the duties of contemporaries and posterity towards the new prophets that had arisen, might not be superfluous; and accordingly Huxley poses for a *post mortem* statue in language the unqualified assurance and nauseating vanity of which is, we think, without a parallel even in the shameful history of modern scientific warfare.

"Such men," we are gravely told, "are not those whom their own generation delights to honor; such men, in fact, rarely trouble themselves about honor . . . but whether a future generation, in justice and gratitude, set up their statues; or whether names and fame are blotted out from remembrance, their work will live as long as time endures. To all eternity, the sum of truth and right will have been increased by their means; to all eternity, falsehood and injustice will be the weaker because they have lived."

Preposterous as is the vanity and egotism of this extraordinary passage, it becomes ridiculous in the highest possible degree, when we find the hands of the much vaunted science absolutely empty and all its labors barren of results. For what is "the increase in the bulk of solid knowledge" bequeathed to the twentieth century by the speculative scientists of the nineteenth? And what are those high-sounding "canons of investigation" which are being introduced, whose weight and measure are so accurate, that "proofs as valid as those required by science are being demanded of all doctrines which

ask for man's assent?" Correct answers to these queries may help in some measure to clear up questions on which there exists at present a great confusion of ideas.

No one in his senses can deny to the nineteenth century a wonderful advancement upon its predecessors. Its progress has been a natural miracle. The wonders of that marvelous cycle have been positively astounding. From a truly scientific point of view the year 1903 is farther removed from the year 1803 than was that cycle from 1003. The bicycle, the automobile, the trolley wire have revolutionized our modes of locomotion. Electricity has as surely superseded steam power as steam had supplanted horse power. The telegraph and telephone have annihilated time and distance. The phonograph and graphophone have done for the human voice what photography had done for the human features—made them perpetual. *Esto perpetua* is its new charter from science. The advance in agricultural and industrial processes has opened the doors to an entirely new world. The ease and brilliancy with which our homes and streets are lighted provoke a smile at the recollection of the days of the flint and matchlock. Although the advance in therapeutics and prophylactics has by no means kept pace with our progress in other departments of experimental science, the wonderful discoveries of Pasteur and of Roentgen have rescued the medical and surgical world from their comparative stagnation. In electricity the genius of Menlo Park would by his own discoveries alone illuminate a whole century with glory. The marvelous in science no longer excites our wonder. The brilliancy of a new invention or discovery no longer dazzles or intoxicates us. The extraordinary has become the commonplace. Inventions which rank in importance with that of the printing-press, are now the comment of an hour; to-morrow may bring something which completely overshadows to-day. Indeed inventions and discoveries which in former times would have been sufficient to establish the glory of a whole epoch, have become with us almost everyday occurrences; and, consciously or unconsciously, mankind has been driven, by the rapidity of our progress, to adopt *nil admirari* as its rule if not as its permanent motto.

But it cannot be too distinctly emphasized that the science which has conferred such blessings on humanity is by no means the science which has been preaching its own glories so clamorously from the housetops. There could be no greater mistake than to confound the science which is the benefactor of the human race with the science of Darwin, Huxley, Haeckel and Tyndall. There is the widest possible difference between speculative and applied science; and it is applied science that has proved the fairy genius of the

human family. In many respects these two departments of physical science are as widely distinct from, and as wholly independent of, each other as are the science of theology and the science of geology. Applied science which scatters blessings innumerable in its path has no quarrel with anything in the heavens above or on the earth beneath. Indeed if applied science were a disproof of revelation then truly would the cause of the Scriptures be hopeless. If the mechanical and industrial progress of our age conflicts with religion, then indeed there is no God. If steam and electricity contradict Christianity, the Christian cause has been a deceiver. If telegraphy and telephony are opposed to the Divinity of Christ, then is Christianity with all its teachings a barefaced imposture. But—as all the world knows—the inventions of applied science are among the best agencies for the spreading of religious truth, and the geniuses who have by their labors conferred the blessings of modern progress on mankind, have, neither in life nor in death, disdained the consolations of religion. Indeed it is worthy of everlasting remembrance, that while Spencer, Huxley, Darwin, and Tyndall were pursuing wandering fires, while they were busily engaged in monuments of human folly which have crumbled to the dust even before their bones, and while they strove to draw the attention of the world to themselves by their noisy clamors against religion and revelation, there were side by side with them, patient workers—men whose voices were never raised in wordy strife, who never thought it necessary to rail against the existing order of things in order to call the world's attention to the fact of their existence, and who have been the real benefactors of humanity. They have revolutionized science; they have changed the whole face of nature; they have, by their inventions and discoveries in their various departments, enriched mankind; they have furnished the wheels to all modern progress; they have been the true glory of the age; while beside them the railers and jingoes of science sink far into insignificance—their hands empty, their labors fruitless and barren, their theories exploded, their speculations abandoned by the world as worthless mines, their hypotheses repudiated or practically acknowledged as valueless even by themselves, while there remains not one single benefit to humanity left by them to show future generations that such men ever existed. There could be no greater error or one more productive of endless mischief than to confound speculative with practical science, or to credit the glorious results of the patient labors of Edison, Pasteur, Roentgen, Marconi—even of Professor Dewar himself—and a host of other faithful craftsmen, to the noisy and clamorous speculatists who so audaciously lay claim to them.

The truth is that there is no darker page in the chapter of infamy

which we are here outlining, than that which records the attitude of *speculative science* towards *practical* or *applied science* during the past half century. The hatred and scorn with which the speculatists pursued the votaries of applied science may have been the offspring of envy and jealousy; but certain it is that this hatred was surpassed only by their hatred of religion. Every note in the scale of hostility was sounded—scorn, disdain, derision; open contempt and malicious depreciation; affected reconciliation, sullen and reluctant recognition, when the merits of its unresisting rival were too obvious to be ignored; base and cringing flattery when those merits became dazzling; and lastly an audacious attempt to claim the merit and appropriate the glory of our modern material progress. Huxley was—here as elsewhere—the chief spokesman of the speculatists, and we shall quote him freely.

He undertook to draw a sharp dividing line between the science which produces practical results and that of pure speculation. The latter, according to him, was the only science deserving of the name. All else was low, mean, and sordid. He undertook to read the votaries of applied science out of the scientific communion altogether, as degenerate sons not worthy of the noble name science. Lord Bacon had held speculative science in no very high repute, regarding speculation as an unprofitable vanity, while at the same time he strongly urged mankind to pursue science for “its fruits”—its practical results—“the good to men’s estate.” Huxley scouted this doctrine of Bacon in season and out of season. It was gross and vulgar. Those who followed Bacon’s advice were mere “blind readers of the blind . . . who can see in the bountiful mother of humanity nothing but a sort of comfort-grinding machine.” He had only words of biting sarcasm for those who saw in science nothing “more than the improvement of the material resources and the increase of the gratifications of men.” He studied science with far nobler aims. “The great steps in its progress,” he told the world, “have been made, are made, and will be made, by men who seek knowledge simply because they crave it.” He had rather be a kitten and cry mew than one of those same petty science-mongers; for he tells us “I think I would just as soon be quietly chipping my own flint axe, after the manner of my forefathers a few thousand years back, as be troubled with the malady of thought which now infests us all, for such reward”—practical results. Again he assures the world that if benefits to mankind were the only results of scientific pursuits, he “for one, should not greatly care to toil in the service of natural knowledge,” while elsewhere he speaks of the results of such labors as those of Pasteur or Edison as “the coarse and tangible results of

success." Occasionally he combined the cad and the Cockney in his animadversions, as when he says "I do not wish it to be supposed that because I happen to be devoted to more or less abstract and 'unpractical' pursuits, I am insensible to the weight which ought to be attached to that which has been said to be the English conception of Paradise—namely, 'getting on.' I look upon it that 'getting on' is a very important matter indeed." This language, however, is merely simpering and lackadaisical in tone; insult is added in the following: "Far be it from me to deprecate the value of the gifts of science to practical life, or to cast a doubt on the propriety of the course of action of those who follow science in the hope of finding wealth alongside truth, or even wealth alone. Such a profession is quite as respectable as any other." And over and against this insulting taunt flung in the face of the practical scientists of the age, who have been and are its real glory, he sets this: "Nothing great in science has ever been done by men, whatever their powers, in whom the divine afflatus of the truth-seeker was wanting." And still again he tells us "the practical advantages, attainable through its agency, never have been and never will be, sufficiently attractive to men inspired by the inborn genius of the interpreter of nature" to draw them to the study.

On other occasions when, taught by a bitter experience, he had beheld with dismay the despised "practical" science carrying off all the glittering prizes and covering itself with imperishable glory, he strove to make common cause with his insulted rival. Was not he a mechanic himself? Was not he a handicraftsman like the tradesman at his bench? Addressing a body of mechanics, he solemnly assured them "The fact is, I am and have been, any time these thirty years a man who works with his hands—a handicraftsman." And lest his hearers should protest that it was impossible that so fine a gentleman, with such lofty notions about the dignity of science, should be engaged in any such ignoble work, he hastens to forestall all protests by assuring them that "I do not say this in the broadly metaphorical sense in which fine gentlemen, with all the delicacy of Agag, trip to the hustings about election time, and protest that they, too, are working men." And lest the listeners should be appalled by the manifest paradox he hastens to preclude all doubt, by telling them "I really mean my words to be taken in their direct, literal, and straightforward sense." On another occasion he even goes so far as to undertake to break down the barriers between speculative and applied science which he himself had been so eager to set up. Forgetful of his former disdain of "utilitarian ends and merely material triumphs" as well of his sneers at "the coarse and tangible results of success," he declares "I often wish that this phrase 'ap-

plied science' had never been invented. For it suggests that there is a sort of scientific knowledge of direct practical use, which can be studied apart from another sort of scientific knowledge, which is of no practical utility, and which is termed pure science.' " Evidently, however, the reconciliation was not quite to his satisfaction, for in his very last work he says, somewhat drearily—"We may hope that the weary misunderstanding between the practical men who professed to despise science, and the high and dry philosophers who professed to despise practical results (he evidently hopes it forgotten that he was one of them) is at an end." The attempted reconciliation, however, came too late. The divorce of "practical" from "un-practical" science had been too complete. There was only left to the speculative scientists, to claim for themselves the glory of nineteenth century progress, and this they boldly attempted—probably in virtue of the right of eminent domain throughout the whole field of science.

The manner in which the attempt was made was a bold stroke of scientific buccaneering. The audacious attempt is without a parallel in history. Not only was it proclaimed that there were two distinct classes of men engaged in the pursuit of science, the one sordid and base in motive, with mere utilitarian ends in view; the other lofty, noble and godlike in its aims; but what was more, according to the same authority, the speculative scientists were the disciples of Dives who sat down daily to the table of scientific profusion, while the practical scientists were merely the modern Lazaruses who fed on the crumbs that fell from their tables. Thus, with unabashed assurance and unparalleled effrontery, is claim laid to the glory of all our industrial progress by the very men who labored so hard to deprecate and deride it. If we are to believe Huxley, all our modern progress—steam, electricity, the spinning-jenny, the cotton-gin, etc., are but the beggarly pickings from the great marts of pure speculative science which another, but inferior race, of scientists had wit enough to utilize. And this is not so much claimed even, as taken as a matter of course—much after the high-handed fashion of lordly brigands who disdain to stoop to wrangling about trifles. Bless you; the practical results came from speculative science, because science could not help it any more than the sun can help giving light and heat. Therefore the bountiful givers declined all thanks. "It was indeed," we were apologetically informed, "long before speculative science began to produce practical results;" but come they did, at last—as come they inevitably must—from the vast accumulation of bare knowledge. Thanks, therefore, were wholly superfluous. "The new philosophy," Huxley assures us, "deserves neither the praise of its eulogists, nor the blame of its

slanderers. As I have pointed out, its disciples were guided by no search after practical fruits, during the great period of its growth, and it reached adolescence without being stimulated by any rewards of that nature." These "rewards" (practical fruits) came unbidden; the scientists could not bar them out. They, however, were engaged in loftier things. "That which stirs *their* pulses is the love of knowledge and the joy of discovery of the causes of things . . . the supreme delight of extending the realm of law and order towards the unattainable goals," etc., etc. No baseborn utilitarian or practical views debase the true gold of their aims. They hardly sully their hands with sordid "fruits." "In the course of this work, the physical philosopher, sometimes intentionally, much more often unintentionally, lights upon something which proves to be of practical value." The princely votary of science, however, simply flings it to the multitude and scatters his scientific wealth with prodigal hand. "Great," we are informed, "is the rejoicing of those who are benefited thereby;" but the princely Camaralzaman who scatters treasures in such profusion, to be scrambled for by the multitude, has no further interest in the practical utility, and while his princely gift "is being turned into the wages of workmen and the wealth of capitalists" the bounteous scientist is, with "the crest of the wave of scientific investigation far away on its course over the illimitable ocean of the unknown." In other words, speculative science is the fairy godmother of the human family. She disappears after scattering her gifts; then comes applied science and turns the gifts to account as best it may.

The quiet impudence of this brazen assumption which would despoil the true workers in science of their well-earned glories, only to confer them on the scientific quacks, is enhanced by the consideration of the real merits of the latter in their own special field. After listening to Huxleyan rhapsodies about speculative science, we naturally are led to inquire: What are the results of "pure" science unadulterated by gross utilitarian ends, during the last half century? What triumphs has it to show? What new fruits (not even in the Baconian sense) have been plucked from the tree of knowledge by this vociferous school? To use their own phrase: what has been "the increase in the bulk of solid knowledge" contributed by the clamorous school? After badgering religion, and browbeating philosophy; after bullying and stripping mechanical and industrial science, and unscrupulously attempting to appropriate the glory of the latter, it should have—in its own special sphere—rich treasures of knowledge to show, which it has wrested from the grasp of nature. The reply, here too, is fraught with shame. The hands of speculative science are absolutely empty. Science, as M. Brunetiere has

put it, "is bankrupt." Nevertheless the barren field of knowledge in which he stood did not deter the late Professor Huxley from declaring, shortly before his death, that "our epoch can produce achievements in physical science, of greater moment than any other epoch has to show." It has been said that whom the gods would destroy they first make mad; and it is difficult to account for Huxley's aberration on any other ground. And certainly no other theory can account for the fact that when requested to elaborate the principal "achievements produced by our epoch," he unhesitatingly replied: "There are three great products of our time. One of these is that doctrine concerning the constitution of matter which, for want of a better name, I will call 'molecular,' the second is the doctrine of the conservation of energy; the third is the doctrine of evolution." Here, then, is a categorical summary of the great products of speculative science in our day, issued by one in authority; and we shall discuss it as briefly as possible.

Doubtless many persons interested in the progress of physical science will marvel at this strange summing up of the glories of "our epoch." True friends of science will be inclined to think that it might have been quite as well to have maintained a discreet silence regarding the glorious "achievements of our epoch," under the circumstances. Others will be apt to say: evolution we know; conservation of energy we know—or have heard of; but this molecular constitution of matter; what is it? Certainly it will be news to the world to hear that science has at last determined the ultimate constitution of matter. If true, this fact alone will more than atone for all the insults offered to religion and mechanical science, by speculative science. If the old quarrels between the followers of Aristotle and Democritus are at an end forever, the world has reason to be thankful. But with all due respect to Professor Huxley, we think it would puzzle a speculative scientist at the present day, to say, whether the new scientific decree determining the constitution of matter, has decided the case in favor of Democritus or the Stagyrite.

According to the theory of Democritus, matter in its ultimate elements is composed of atoms which are indivisible and discontinuous, and which move in a vacuum. According to Aristotle matter is continuous and divisible, the smallest particles possible being scattered throughout the attenuated general substance of the plenum. The common illustration of granules of ice diffused through water, to represent the latter; and such granules diffused through absolutely empty space, to represent the former, gives a sufficiently clear idea of the difference of the theories. The atomic theory had almost dropped completely out of sight, while the doctrine of the Stagyrite held sway almost to the present day. Indeed the atomic theory had, in

ancient times, furnished the light comedy in the scientific drama. The Epicureans took up the theory of Democritus. They maintained that the atoms had weight and a certain downward motion natural to them, and thus the world was made. Their adversaries very naturally objected, that since the atoms moved in a vacuum perpendicularly and in parallel lines, they could never unite to form a world; whereupon the atomists thereafter taught that their atoms had "a fortuitous and lateral motion" also; and lest this might not suffice to silence their adversaries, they were fain, as Cicero tells us, to furnish their atoms with hooked tails, by means of which they might unite and cling to one another. This ingenious device, however, did not save them from the raillery of their critics, for they were at once asked: "If the atoms have by chance formed so many sorts of figures, why did it never happen that they should make a house or a shoe? Why at the same rate should we not believe that an infinite number of Greek letters strewn all over a place, might not fall into the contexture of Homer's *Iliad*?" Perhaps it was in search of a refuge from this laughable criticism, that Lucretius was led to declare that the atoms were endowed with volition. However that may be, the theory of Aristotle gained the ascendant, and maintained it until Gassendi, the opponent of Descartes, revived the old Democritic theory of atoms under a theistic form. In our own day the atomic theory has been ably defended by the late Clerk Maxwell, who maintained that the atoms were "manufactured articles;" but as "manufactured articles" implied a manufacturer, Maxwell's theory was received coldly by the materialists, who otherwise seemed willing enough to adopt it. In the hands of Dalton and Avogadro, however, the old Democritic theory proved for a time to be a useful instrument of chemical progress. The four primary elements of the ancients being long since abandoned, and some sixty-eight or more different elements claiming recognition in their stead, the recurrent periodicity into which the new series breaks up, together with the law of multiple proportions under which they combine, has formed the basis for modern crystalline architecture, and established the principles upon which the new synthetic chemistry is constructed.

But here, too, the old farcical element insisted upon coming to the front; for the very periodicity of the series and the laws of combination, gave rise to new ideas fatal to the atomic theory. While the ancient doctrine was revelling in all its newborn glory, and while the laughing philosopher seemed to be seated securely upon his throne, a revolt was raised and the flag of rebellion was unfurled. Skeptics began to inquire whether this kinship and analogy of the atoms did not after all suggest something significant. Verily did it not betray a common origin? And if so quite as surely matter was

neither indivisible nor discontinuous. The doctrine of atoms floating about in a vacuum had received its death-blow, and so the theory of Democritus was devoured by its own children. Manifestly the lesson which the peculiar behavior of the atoms taught, was, that they were parts of a boundless ocean of ether which extended everywhere. These so-called atoms were centres of energy, whirlpools of force, vortex-rings—ant-hills, so to speak, thrown up on the surface of the universal matrix. And then this vast ocean of ether—was it not itself the source from which things were evolved—original matter. Here, surely, was a new discovery, important and far-reaching. But horrors! and absit omen! Where had it landed science? Was not this universal ether a mere return to the $\pi\rho\omega\tau\eta\ \upsilon\lambda\eta$ of Aristotle and the *materia prima* of the hated schoolmen?

If speculative science has yet succeeded in extricating itself from this perplexing dilemma, we are not aware of it. Indeed that it is the only goal which they have succeeded in reaching, hardly admits of a doubt. Hence it is easy to form an estimate of the real value of the first of “the three great products of our time, which surpass those of any other age.”

The second is the conservation of energy. This is but another name for the familiar doctrine of the correlation of forces; and the great merit of this doctrine is the mathematical accuracy with which it can be computed how much of one form of energy or force is equivalent to another; or, to speak more in accordance with the modern theory, how one mode of energy may be transformed into another. We shall, for the sake of clearness, dwell somewhat on this doctrine.

Of the nature of force or energy science knows precisely as much as it knows about the ultimate constitution of matter, or about space, or about time, or about the unknowable itself; but not one jot or tittle more. It has learned something regarding the manifestations of what it has termed force or energy, and these manifestations it has made some feeble attempts to classify. And here again it is the science which deals with “practical results” that merits all the glory. Outside of applied science the statements of scientists under this head are the wildest of guesses. Indeed it may be said that when we undertake to subtract from the doctrine all that can be stated in the form of exact principle, of uniform application in mechanics and throughout the realm of physics, we are apt to find a somewhat insignificant subtrahend with a rather prodigious remainder. The doctrine has many facets, some of which have a fascination for the experimentalist, but there are others which are not only unproved, but which will not even admit of proof, and it

is here that speculation loves to run riot. But to most people, the doctrine, as it is applied in physics and mechanics, even lacks the charm of novelty. It has frequently been maintained that the doctrine is nothing more or less than an application of the old familiar principle of cause and effect, and that thus it is as old as the human family. And there seems to be much truth in this view.

For example the famous “Joule’s equivalent” by which it was demonstrated that a weight of 772 pounds falling through one foot will produce sufficient heat to raise the temperature of a pound of water one degree Fahrenheit; or the familiar phenomena manifested by heat converting water into steam, in which the proportion of heat and steam expansion can be determined with mathematical accuracy, shows conclusively, not only that one form of energy or power may be converted into another, but also proves that, in certain cases, from definite quantities of energy of one kind, definite quantities of another, uniformly arise. But this being admitted it must be also admitted that all this, though not, indeed, formulated into a principle, has been not only recognized, but put into universal application, as long as man has been a thinking and an acting being. The doctrine, as formulated, may not, indeed, have reached to the uneducated masses of mankind; but the principle that one form of energy may be transformed into another has been the unconscious guiding principle of their actions. The most unscientific housewife will calculate to a nicety the quantity of fuel it will require to bring her tea-kettle to the boiling point, though she may never have heard of Joule or Faraday; that is, she transforms the energy in the fuel to another form of energy in the water in her tea-kettle, and housewives had been doing this for centuries before the discovery of the “thermodynamic law.” The *chef de cuisine* knows precisely the amount of fuel energy and the amount of spit-turning energy which is necessary to have the roast beef done to a turn, and thus transforms this energy to the roast beef, and thence to the palates of milord and miladi, and thus again to the social energy or cheer, of the hosts and the guests in the dining-room. The wood-chopper and the coalheaver can determine with a fair amount of accuracy the amount of stored energy hidden away in the wood or the coal, which it will be necessary for them to prepare against the rigors of the coming winter, in order that our homes and our public buildings may be supplied with the form of energy which scientists call heat; although neither coalheaver or wood-chopper ever heard that heat was a mode of motion or molecular energy.

And what is still more, without any pretensions to mathematical calculation, even the untutored savage has converted force into force and energy into energy with an accuracy and precision not surpassed

even by Joule's "thermodynamic law," as with unerring aim he sent the whizzing arrow directly to its mark. He had never heard of the correlation of forces, or the conservation of energy; but he applied the principle with mathematical precision. The muscular energy in his arm he transformed into potential energy in the bent bow; this potential energy became kinetic energy the moment the bow became relaxed; the kinetic energy in the bow is instantly communicated to the arrow and converted into energy therein, sufficient to accomplish its deadly purpose. The same Indian knew equally well how much muscular energy was required at the paddle to be converted into canoe energy, by means of which he crossed the river or the bay to reach his tribe or his wigwam in due season; that is, he understood the modern law not only of transformation but even of equivalence, although he might not be able to crystallize his knowledge in a catching phrase. The selfsame forms of potential and kinetic energy, as well as the principle of transformations and equivalences are fully recognized—and applied—though not understood, by children who have not yet attained the reasoning faculty, as they play at see-saw. Each one knows precisely the amount of kinetic energy required at his end to accomplish the requisite amount of potential energy in his partner at the opposite end, which, in turn, becomes kinetic in his companion and is restored to him in the form of potential; and in order to obtain exact equivalences of energy shifts his position on the pole. In the same way the unlettered urchin leaning over the brook and slaking his thirst through the medium of a straw, fully comprehends the amount of muscular energy at the lungs is requisite to cause the water to rise through in a column to his mouth. The muscular energy in the lungs is transformed to energy in the air and thence to energy in the water. The same is true of man's dealing with the elements, long before the discovery of the famous principle. The sailor knew hundreds of years ago how to convert the energy of the winds into the motion of his vessel, and could calculate to a nicety from the velocity of the wind above his head, how much of its energy it was necessary to communicate to his boat, in order to double the cape, or make the shore in a given time. The husbandman, too, had learned to transform the energy of the winds into the energy of the molars which ground his corn or turned his mill, and although man had not succeeded in stealing from Boreas the secret of en chaining the winds, he had learned the art of storing water energy to be applied to his purposes, and of being converted into other energies when necessary. The running energy of the water was converted into falling energy, and then in turn, to the energy of wheels and other rude machinery which did his work and accomplished his ends. Nay, what is more, so long ago

as the thirteenth century the German monk who invented gunpowder had learned the secret of storing and compressing energy, even as the sun stores and compresses its own energy in coal.

It would therefore be strange if the scientists of the nineteenth century did not apply this ancient, world-wide principle in their new arts and inventions. And this is precisely what they have done. They applied the old well-known principle of cause and effect which presses itself on our notice every day, not indeed in a new way, but to new subjects. It is extremely difficult to find in the great doctrine of the conservation of energy anything more than an extension of the old principle which child and savage alike learn instinctively or intuitively to the new subjects of light, heat, electricity, steam, chemical affinity, magnetism. With the new appliances of weights and measures everything ponderable and measurable could be determined with tolerable degree of accuracy, and the calculation of exact equivalents which followed naturally excited the wonder and admiration which are always the concomitants of unexpected—or rather unsuspected—results. The invention of the steam-engine showed that the molecular motion which is called heat may be transformed into visible motion, for as Grove long since put it, "the piston and all its concomitant masses of matter are moved by the molecular dilatation of the vapor of the water." In other words, the energy of heat is transformed into the energy of the moving locomotive, precisely as we have seen that the energy of the winds is transformed into the motion of the sailing-vessel; or as the same wind energy is transformed into the motion of the machinery which, by means of the windmill, grinds the farmer's corn; or as the energy of the water is transformed into the motion of the water-wheel. The principle is precisely the same; the application only is new.

Mechanical science is, indeed, entitled to great credit for its speedy application of the principle in the new field of steam and electricity, and still more for extending it to the fields of light and chemistry; nevertheless it is fairly certain that the progress would have been just the same had the doctrine never been formulated.

But while in the new domain of light, electricity, magnetism, chemical affinity, etc., the application of the doctrine gave definite results; and while the mechanical theory of heat aided this definiteness, especially in mechanics, in no small degree; it was not so easy to establish the principle with accuracy even throughout the whole realm of physics. Quantitatively, there are but few cases in which it is accurately determined how much of any given force is transformable into another given force; qualitatively, there seems to be a fairly general acceptance of the doctrine that, throughout the realm of physics at least, one mode of force is convertible into another

mode. But when this is said, all that can be determined with any sort of accuracy is said. Everything beyond this is simply pure and unalloyed guesswork.

The speculatists, however, or at least those of them who wished to shut out God from the universe, saw, or imagined they saw, in the new—but old—doctrine an effective barrier against divine interference. Herbert Spencer had defined the unknowable as the infinite and eternal energy from which all things proceed. Here then was the corroboration of his doctrine. Energy was convertible into another form or into many forms; but it was indestructible. It was not known—indeed, it could not be shown—to have come into existence anywhere except as a change from another form of energy; hence it was ingenerable. Being both ingenerable and indestructible, might it not be safely assumed that the quantity of force or energy in the universe could neither be increased nor diminished? The persistence of force, then, was the actual marriage of science and religion. “The sole truth which transcends experience by underlying it, is thus the Persistence of Force.” In asserting it “we assert an Unconditioned Reality, without beginning or end;” and thus “we reach that ultimate truth in which Religion and Science coalesce.” Thus in the doctrine of the conservation of energy—legitimate enough within proper bounds—we have a comfortable Spencerian pantheism. We do not indeed touch the infinite energy directly at every point where energy is manifested; but if Mr. Spencer will permit a simile in anything so sacred—we are like the performer who touches only the keys of the organ, while the music is encased from view and far from irreverent touch in the noble and majestic pipes.

Similarly the doctrine was supposed to further the cause of evolution, and thus its praises rang all along the line of scientific speculations. It was extended from hand to hand. The physicist handed it over to the physiologist, who declared—with but scant proof however—that it held good throughout the kingdom of living and senient things. The human body was but a dynamic engine, moved by the energy stored up in the food consumed. At once a new industry sprang up among the scientists. Tabulated equivalents of animal energy became the order of the day. With all the infallibility and oracular solemnity of the Delphian Apollo we were told that certain kinds of food were brain-food, or muscle-food, or bone-food. Physicians followed the teachings of the physiologists. They forgot—as well as the former—that the human frame may be a chemist’s mortar as well as a dynamic engine; and they failed also to remember the old homely but truthful adage that “one man’s meat may be another man’s poison.” The human machine was treated to the same fuel

under all manner of circumstances, as the steam-engine is always treated to coal. The result is ridiculous in the extreme. The hygiene of yesterday is flung aside for the hygiene of to-day. "Renowned" scientists are in conflict. The eminent specialist is contradicted by the specialist still more eminent, and the science of hygiene and medicine is a laggard in the race of progress. Such are some of the benefits which the doctrine of the conservation of energy has brought to the field of medicine.

From vital energy there was but a step to nervous and emotional energy; and having reached thus far it was inevitable that the doctrine should be extended to mind and intellect as well. Thought and consciousness were—like heat—merely modes of motion. Mr. Spencer even goes so far as to assure us that "those modes of the Unknowable which we call motion, heat, light, chemical affinity, etc., are alike transformable into each other, and into those modes of the Unknowable which we distinguish as sensation, emotion, thought: these, in their turns, being directly or indirectly re-transformable into the original shapes." The field of social energy was the only one left to be included in the sweep of the doctrine, and now we are solemnly assured that stars and thoughts, the steam-engine and the White House reception, are all alike products of the same principle; that through the entire cycle of physical, vital, mental, political and social phenomena, it is the self-same energy that is at work; that it cannot be increased or diminished throughout the universe; that it gives us now a poem or a polyp, a sonnet or a sausage, a nebula or a congressman; that it is the same energy which brings the railroad train to the terminus and the newly-elected politician to his office, and that, moreover, all these forms of energy are transformable into one another.

And for all this extravagant statement and much more of the same sort, we are quite nonchalantly told there is not a particle of proof whatever. Bless you; if you will not take it on the authority of the scientists, without proof, what are the scientists for? Herbert Spencer will tell you quite candidly that no process of induction can corroborate their assertion; the doctrine "cannot be inductively confirmed." With equal candor he will tell you that it is simply a corollary from the doctrine of the persistence of force; but that the persistence of force is a mere assumption. Just as one might say the doctrine must be true because Mr. Spencer so declares it to be; that it is a corollary of Mr. Spencer's infallibility; but that Mr. Spencer is infallible is, however, a mere assumption. It is true Mr. Spencer, by a species of verbal jugglery—not by any means uncommon with him—substitutes what he calls the force out of consciousness with

the force known to consciousness; but the vicious reasoning is augmented rather than diminished by the substitution. When we add that the Spencerian maintains that the amount of energy in the universe cannot be increased or diminished because of its relation to the Infinite Energy from which all things proceed, and therefore that it is *infinite*; that other evolutionists, following Helmholtz, maintain the same theory because "the amount of power in nature and in all parts of nature, including the domain of life, is inexorably limited," and that therefore it is *finite*; that the accepted doctrine involves the acceptance of the atomic theory of matter with all that it includes—the indivisibility of the atoms, and the interatomic and intermolecular spaces; and that the atomic theory, as far as we know, is at the present day, giving way to the theory of Aristotle; and lastly that—if we are to take Professor Dewar's remark at Belfast as the latest authoritative exposition of the subject—"ignorance of the ultimate nature of matter, of the ultimate nature of energy, and still more of the origin and ultimate synthesis of the two," is now candidly admitted on the part of science; it can be readily computed how much glory is due to science on behalf of the second "great product of our age." The fact seems to be that in the famous doctrine, what is true is old; and what is new is vicious—both scientifically and philosophically vicious.

Fortunately for the doctrine, the late Clerk Maxwell rescued it from the hands of its friends and reduced it to some sort of rational definiteness. He thus defines it: The total energy of any body or system of bodies is a quantity which can neither be increased nor diminished by any mutual action of such bodies, though it may be transformed into any one of the forms of which energy is susceptible." While this definition fails somewhat in point of clearness of language, and while in the present state of scientific ignorance regarding the nature of energy, it asserts what is not exactly demonstrable, it is a praiseworthy attempt to free the doctrine from the wild vagaries and fancies of the speculatists. Doubtless it was to the wholesome influence of the framer of the definition that Huxley in his very last work returned to saner views than those which he formerly held; for he expressly stated that "the phenomena of consciousness which arise, along with certain transformations of energy, cannot be interpolated in the series of these transformations, inasmuch as they are not motions to which the doctrine of the conservation of energy applies." This is certainly in marked contrast with his former famous dictum on the same subject: "I believe that we shall, sooner or later, arrive at a mechanical equivalent of consciousness, just as we have arrived at a mechanical equivalent of heat. It

is also recessional from that other famous step in the ascent of Jacob's scientific ladder to the materialist paradise, in which he declared "it must be true . . . that the thoughts to which I am now giving utterance, and your thoughts regarding them, are the expression of molecular changes in that matter of life which is the source of our other vital phenomena." Verily the angels of science had, towards the end of life, begun their descent, at least to the extent of one round in the ladder of the conservation of energy.

We have dwelt long on this because it is one of the most conspicuous examples of the modern scientific mountain parturition, and because, like the doctrine of evolution, so many well-meaning people are ready to accord to it a value which it by no means possesses.

On the hypothesis of evolution it is not necessary to dwell long here. It is merely necessary to say that even its strongest advocates must admit that the doctrine is not only unproved but unprovable; that even were the doctrine of special creation out of the way, evolution could not even then make good its case; that the sole reason of its revival by Darwin lay in the purely imaginary agency of natural selection which is now openly scouted by its former advocates; that natural selection having broken down, and no substitute for it worthy of attention having been discovered, the doctrine stands precisely where Darwin found it. Nor can it be said that the facts of paleontology constitute a probability in its favor. In the present status of our knowledge of these facts and their significance, paleontology can constitute a probability in favor of nothing. The geological record is indeed an open book, for him who can read it; but every attempt of science to read "the riddle of the rocks" has been—and is ever apt to be—a more or less brilliant piece of guesswork. The tyro who has mastered the Hebrew alphabet and learned the meaning of a word or two here and there, but nothing more, will be sorely puzzled on opening the Hebrew Bible for the first time. He may be able to tell each letter and read an occasional word, but whether he should begin at top or bottom, at right hand or left, or how he is to extract a meaning from the whole is wrapt in mystery for him. The geologist and paleontologists are in precisely the same difficulty. They have learned the alphabet, but the significance of the record can with them be nothing more at best than more or less clever surmises. And should any one undertake to say that at the beginning God sent forth from His hands a new and furnished world and point to the geological record as evidence of his statement, he could do so quite as justly as the evolutionist.

Since Balzac wrote his famous *Peau de Chagrin*, that ingenious fable has often been taken as the symbol of shrinking values. The

wild asses' skin brings to its wearer the gratification of every wish, but the skin—and with it the wearer—shrinks at every gratified desire, until at last skin and hero shrink into nothingness. This symbolizes the Darwinian theory exactly. Magnificent as was once the prospect, there has been an uninterrupted shrinkage of the doctrine, and the time seems to be not far distant, when the *peau de chagrin* of Darwinism will have shrunk to nothingness, and with it the happiness of the Darwinian.

Indeed, the entire movement was a revolt, not so much against religion as against the limitations of the human intellect. Of any given number of scientific theories of the universe, the most that can be claimed in favor of any one, is merely a balance of probability; while over and above all of them is the still stronger probability that all of them are wrong. Still science insists that of itself, unaided, it can read the riddle of the universe, in spite of the admitted incompetency of the man's intellectual powers. On this point each generation refuses to be guided by the experience of the past. There seems to be an adamantine decree of fate that each generation must learn the hard lesson, by experience, for itself. It is the human mind struggling to wrench the prison bars of its own limitations; as the eagle might undertake to outstrip his own flight, or the mettlesome steed might fret because he cannot fly. Man quarrels with the insufficiency of his own powers, like a petulant child, and imagines he is combating the church, authority, religion. It is the old battle of the centaurs over again, or a renewed effort to rebuild the tower of Babel, in order to scale the heavens. Each new set of actors on the stage of life take up the task with fullest confidence. At life's close they are a little wiser. If they could only bequeath their convictions to their successors!

This article is already long and yet the task we set out to perform is only half done. We have merely inquired into "the increase in the bulk of knowledge" which the scientists of the past generation have left to us. The "proofs" whose "validity" were to become the world's standard, the "methods of physical science," which were to leaven the world of knowledge, the "canons of investigation," have not been touched upon. They, however, constitute the most shameful page of all in the record of scientific dishonor, and it may be worth while to return to the subject.

S. FITZSIMONS.

Lima, N. Y.

[Postscript.—Since the foregoing article was printed and proof corrected, the June number of the *Nineteenth Century* has come to hand; and it is a pleasure to find men like Lord Kelvin taking a step far in advance of Professor Dewar at Belfast, and, in the name

of science, openly avowing a Creative Power. In his notice of Professor Henslow's lecture Lord Kelvin says: "I cannot admit that, with regard to the origin of life, science neither admits nor denies Creative Power. *Science positively affirms Creative Power.*" Again he says: "If you think strongly enough *you will be forced by science to the belief in God*, which is the foundation of all religion. You will find science not antagonistic but helpful to religion." These words are worthy to be placed alongside of Pasteur's noble words, "*True science—that leads to God.*" Regarding the atomic theory of matter and ether Lord Kelvin says: "Ether is absolutely non-atomic; it is structureless, and utterly homogeneous where not disturbed by the atoms of ponderable matter," and he quotes from Cicero almost the selfsame words we have quoted in the preceding article in ridicule of the atomic theory. It is a healthy sign to see the two leading scientists of the age—the late Pasteur in France and Lord Kelvin in England—repudiating openly the agnosticism, atheism and materialism of their late contemporaries. It shows that in science much more than anywhere else, Pope's lines are true: "A little learning is a dangerous thing," and that only deep draughts of "the Pierian spring" can keep the brain steady and the senses sober. Let us have no more of the sounding brass, the tinkling cymbals, the empty vessels—loudest sounding of all, however—in physical science.—S. F.]

THE PASSING OF MARY.

AMONG men who call themselves Christians there exist two theories in regard to the nature of the Church. The first holds that a full and sufficient revelation has been made, once and for all, and entirely contained within the holy Scriptures. Such a view must necessarily allow great latitude in the individual interpretation of the Scriptures because the theory makes no provision for anything like an authoritative hermeneutis. The second theory holds not only that a divine revelation has been given but also that a divine interpreter has likewise been given. To the first the Church presents itself as a mechanism, hard and fast, which has been wound up and goes; to the second the Church is a living organism, the means of outward expression of a Person and that Person is no less than the Holy Ghost himself.

The Church possesses the fulness of divine truth, but that truth is made known to men gradually. As to new-born babes the milk of the word is given to men and afterward, as their spiritual strength increases, as their perception of God and His works grows more

and more, is strong meat set before them, more and more are the deeper meanings of God's truth made plain. The Church changes not; the Church does not teach anything new; she is identical now with the Church of the first hundred years, but there is a deepening and a fuller understanding of her teaching on the part of men as time goes on; there is a clearer definition of what once was dark, a keener perception of what was once obscure. Now all this takes place because of the Holy Ghost, a divine Person, revealing truth to other persons who are human. This must be done through the natural working of men's minds under divine illumination. And so, as with the individual man when some problem comes before him for solution, there is a process of thought, there is deduction from known premises to unknown truth, in the same way is there progress in matters of faith in the mind of the Church of God. "How much more readily should we believe," says an author quoted by Benedict XIV., "with how much more certainty define than the first ages just because the Church increases her wisdom with the passing years, because, showing the light received from the Holy Ghost under whom she is ever taught and governed, she is illumined by ever later councils and by the fuller consensus of more enlightened doctors."¹

This gradual progression, we believe, holds in matters of devotion as well as in matters of faith. Indeed, the former as not fully shown in the holy Scriptures gives an even wider scope for continually progressive teaching on the part of the Holy Ghost. Now among those teachings which approximate to faith is that concerning the bodily taking into heaven of Mary, the blessed Mother of God, and I wish to try and show, if possible, what were the stages, what the gradual unfolding of belief in Mary's assumption as evidenced by the monuments of the Church in the past.

There were many, without any doubt, who knew of Mary's assumption from the very first. There were the Apostles, there were her friends, there was the whole Church at Ephesus; and the mystery of her passing must have been told to numerous converts, to many devout and faithful souls. If it be asked why the Apostles and early writers say nothing of the matter, it can be answered, as Glyca says,² that these men were engaged in teaching only those truths which were absolutely necessary for salvation, and that they were content to leave in God's hands His Mother's honor to make clear her glory when He would.

And yet, very early there must have arisen questions, wonderings—where was she, the Mother of God? Had she indeed died as

¹ Cancellatus, annal. Marian. an 72, no. 21. Quoted by Benedict XIV., *de festis*, lib. II., c. 8, 23.

² Annal. pars. iii., p. 231.

others, or was she living in some secret hiding-place of God far from men's eyes?

And so Epiphanius seems to speak not for himself alone but for many when he says:³ "I know not whether of that blessed virgin any obscure traces can be found which will assure us of her death. On the one side is Simeon's prophecy, on the other, in the Apocalypse it is written of the woman who bore the Child to whom wings were given that she might flee afar. Perhaps this was fulfilled in Mary; I do not know it certainly; I cannot definitely declare that she lives immortal, nor can I be sure that she is dead. The Scriptures surpass the mind of man and we should not be over curious concerning this precious and excellent vessel of God." So doubtless the faithful felt at first that it was the part of piety not to enquire too diligently, that this silence, this mystery best became the end of her who had lived so hidden from the world; that as her wondrous overshadowing by the Holy Ghost was a thing beyond all words, between God and Mary alone, so too how God had taken her to himself was another secret and they knew it was well to hide the secret of the King. Thus were they content to wait.

It is the part of God's providence to use natural and human means to bring about His glory, and so it was that the heresy of Nestorius, and the discussions to which it gave rise, served to bring Mary and her part in the Incarnation into prominence. Now was she shown to all men to be *Θεοτόκος*, Mother of God, and, as such most worthy of all reverence and worship. It was about that time, certainly it was due to this effect on men's minds, that a feast began to be kept in the Blessed Virgin's honor during the winter months. In Gaul this feast was celebrated on January the eighteenth. "And this festival," says Mabillon,⁴ is most certainly that of the Assumption,⁵ although it seems to have had no name as yet. This was before the year 560.

In the Sacramentary of Gregory (591) the same feast is also kept on the same day, and it is found in the Gothic Missal noted for celebration on the second Sunday after the Epiphany.⁶ This last liturgy was in use in Gaul in 678 and the office for this day contains explicit reference to Mary's bodily assumption into heaven.

Such seems to be the earliest records of the feast of Mary's Assumption. So far the feast was nameless, but soon it began to be called *Dormitio*—the Falling Asleep of Mary. Such was its name in Gaul as Gregory of Tours bears witness,⁶ saying it was first celebrated while Gregory I. was pope "in the middle of the eleventh

³ *Adv. haeres.* Lib. iii., Tom. 2, 11.

⁴ *Lit. Gall.*, lib. ii., no. 22.

⁵ Menard, 456 in libro Sac. Greg. Thomasius de Sac., lib. ii.

⁶ *Lib. i., de gloria Marty.*, c. 9.

month," i. e., January 18. We are thus enabled to identify the Dormitio with the unknown feast of the Gallic Missal.⁷

The old Roman Martyrology (Circ. 600) has the Dormitio, as has also an ancient calendar of about 700.

The Sacramentary of Gregory seems to evidence a passing from this stage to the next. In some manuscripts the word "assumptio" is found; in others not. Such an authority as Tommasini⁸ says this word is never used before the ninth century, and Muratori, also, denies that it was originally employed by Gregory, and thinks it was added later.⁹ On the other hand, the editor of the Sacramentary in Migue, under the date "XVIII. Kal. Sept.," gives "Solemnia de Pausatione Sanctæ Mariæ."

The same thing can be noticed in Usuard and Ado (878); the vigil of the feast is that of the assumption; the feast itself is termed "Dormitio." It is about this time, too, that we find the date changed from January to August 15. This, Nicephorus says,¹⁰ was done by the Emperor Maurice (cir. 580), who ordered that "in every place the feast of Dormitio should be celebrated on August 15."

This confusion of name and change of date mark a further advance in the Church's understanding of the assumption. More and more did men see that Mary did not merely fall asleep in the Lord, but that there was a further glory, a greater honor. The truth known to the Apostles and the few faithful was becoming understood by all, the obscure tradition was becoming a luminous fact.

And so we come to the final stage where the word "Assumptio" is wholly used and wherein Mary's bodily taking up is, under the guidance of the Holy Spirit, at length made clear to all. And this, according to Muratori, took place before the year 800. He gives as proof, besides the proclamation of Maurice and the words of Gregory of Tours which I have already noticed, the following facts: About the year 690 Sergius I. ordered that litanies should be said "before the feasts of the Nativity and Assumption of the Mother of God." In 866, moreover, Pope Nicholas was asked by envoys from Bulgaria, who wished to submit to the Church, what fasts it was needful for them to keep. Nicholas replied, "Those which from antiquity the Roman Church has received." And then he proceeds to recount, mentioning among them the vigil of the Assumption.¹¹ Now in the Gelasian Sacramentary (495) there is no fast preceding the Assumption, but if Nicholas could speak of such a fast as kept "from antiquity" it must have been added very soon after that time.

⁷ Mabil. *Ibid.* Muratori *de rebus liturg.*, lib. i., c. 2.

⁸ *De Sac. in Ass.*

⁹ *Cap. v.*

¹⁰ *H. E. xvii.*, c. 18.

¹¹ See also Martene *de divin. Celeb.*, Of. xxxiii., 18.

So it is fair to assume that the "Assumption" itself must have been celebrated long before the age of Nicholas. In fact Muratori concludes that "there can be no question" but the feast was known before the year 800. Thenceforth it is known in the Roman Church by the name "Assumption" and by no other.

Concerning this word *Assumptio* the learned Benedict XIV. has some remarks which are well worthy of note.¹² Speaking of the gradual enlightenment of men's minds concerning the end of the Blessed Virgin he says that the Latin verb *assumo* was used at first merely with the meaning of God's taking human souls to Himself, and afterward, gradually, as faith deepened, it was clearly seen that in Mary's case God had taken not only her soul but her body. Among the authors who use the word in its simpler sense is Gregory of Tours (*de gloria Conf.* c. 49), who speaks of "assumptio Sancti Aviti;" Eusebius (*de vita Const.* lib. iv.) writes, "illum ad Deum suum assumptum;" Gregory Nazianzen in a sermon on his sister Gorgornia, uses the expression "eam fuisse assumptam in cœlum." We must consider in Mary's case, says the learned pontiff, of what grade was her union with and taking up to God—whether partial or entire, that is, of both soul and body.

So far I have spoken only of the date of the Assumption; it remains to say something concerning the description of that event as given by Christian writers.

The first authentic mention of Mary's death is made by Dionysius the Areopagite in his book "De divinis Nominibus," chapter third. The writings which pass under this name are assigned generally to the sixth century.¹³ The passage is quoted by all the Greek writers who treat of the assumption and as it is interesting I translate it. Dionysius is writing to Timothy about his teacher and bishop Hierotheus. "There was a gathering," he says, "of God-inspired angels when I, as you know, and many other of our brethren came to behold that body which had once received the God and author of life. James was there, the Lord's brother, and Peter, the first and highest of men learned in the ways of God, and others were likewise there. Then, after that beholding, we saw how each—all the holy ranks—as best they could, with hymns glorified the omnipotence of divine goodness. You remember well enough how he (Hierotheus) surpassed all the other mystics, himself wholly forgetful, rapt away from earth through sympathy with what he sang, so that they who heard and saw him both knew and knew him not and they judged him to be inspired, a singer of God's own hymns."

There exists a little book credited to Melito, bishop of Sardis, and

¹² *De pert. in Ass.*, lib. ii., c. 23.

¹³ Tommasi, *de fest.*, lib. ii., sec. 20, No. 10.

called "The Passing of Mary" (*De Transitu Mariae*) which undoubtedly gives the first circumstantial account of Mary's death and assumption. Melito lived in the second century. He is known to have written an apology for his fellow Christians about 170, but the names and some fragments of his works¹⁴ are all that have reached us.¹⁵

As to the book *De Transitu* critics are agreed that it must have been written considerably after Melito's age, probably during the controversy with Nestorius. At all events, the first notice of it is by Gelasius in 495.¹⁶ Although the book has been faulted by later writers¹⁷ as contrary to certain details in the Acts of the Apostles (though it would seem that Melito might be reconciled with the Scriptures), nevertheless as its main facts have been received by fathers of the Church we must believe that the work is substantially true.

St. Gregory of Tours¹⁸ gives an account of the Assumption taken, with often the very same expressions, from the work of Melito. He was writing in 594. These are the earliest authentic instances, as critics universally believe the epistle credited to Jerome and the sermons to St. Augustine are very much later than those fathers.

The epistle of Jerome to Paula and Eustochium¹⁹ could only have been written, Erasmus says, by a Greek and this must be a Greek translation. From other internal evidence it must have been later than Jerome's age, for the author speaks of heresies concerning the Incarnation; he asks his readers to beware of the Orientals "lest your eyes be clouded with darkling words, or they blind your Latin purity with a storm of Greek dust."²⁰ Now such words as these could only have been written after the first Council of Chalcedon.

There are, moreover, two sermons²¹ printed in the works of Augustine which treat of the Assumption, but as they are likewise found among the writings of Aupert or Fulbert, a writer of the eleventh century, and as they bear every indication of having been written at that time, critics do not hesitate to deny Augustine's authorship.

Later, of course, Latin writers are numerous, but writing when the Assumption was universally recognized, they have not the historical value of earlier fathers.²²

¹⁴ Eusebius H. E. iv., 28 seq. Jerome de vir. illustrat. 24.

¹⁵ For a full and critical account of Melito and his works see the dissertation by Charles Woog in the eighth volume of Migne's Greek patrology.

¹⁶ Gelasius cap. S. Rom. dist. XV.

¹⁷ Bede in retract. Act., c. viii.; Jerome in Act., c. viii.

¹⁸ De Mirac., lib. i., c. 4.

¹⁹ Ep. IX. de Ass.

²⁰ Ibid., 2, xiii.

²¹ Serm. de Sanctis 35 and 36.

²² Among these later are Ildephonsus, Serm. 6 de Ass. Peter Damian, de Ass.; Peter of Blois, serm. 28. For a full account of mediæval notices see Benedict XIV. in his tract on the feast and Baronius, ann. 48.

The Greeks, naturally, entered much more fully into the question, and among them may be cited St. John of Damascus (3 sermons in Dorm), Andrew of Crete and German of Constantinople, both of whom have homilies on the feast, Modestus (Serm. 5, pars B.), Metaphrastes (Hist. p. 330), Nicephorus (H. E. lib. ii., c. 21 and lib. xv., c. 14), Cedrinus (in Aug. 15, s. 38-42), Glyca (annal. pars iii., p. 231). All these writers agree so curiously and use words and expressions so similar as to make me believe that all are quoting from one common account, although we do not know what it is.

In order that the reader can see exactly how these early histories read I subjoin a summarized translation of the pseudo-Melito and of the words of Nicephorus. The latter is chosen because he is rather fuller than other Greek writers, and entirely representative. The account of Mary's death is drawn from the second book of his ecclesiastical history, section 21; the speech of Juvenal, from the fifteenth book, section 14.

The Passing of Mary is as follows:

"The second and twentieth year after Our Lord had ascended to the heavens it chanced on a day that Mary, burning with love of him, wept alone within her house. Then behold, an angel stood by her, shining with great light, and saluted her saying Hail! thou blessed of the Lord, lo! here is a palm branch which I bring thee from the paradise of God, the which shall be borne before thy bier when on the third day thou shalt be taken up from the body; for thy Son awaits thee with all his angels. Then Mary said I beseech thee that all the Apostles may come together to me: and the angel answered Lo! all the Apostles of my Lord, lifted up, shall to-day come to thee.

And the angel departed from her.

Then Mary arose and put on her best garments, and going forth prayed at the Mount of Olives. Now it came to pass in Ephesus, on the Lord's day, while blessed John was preaching that there was a mighty earthquake and a cloud received him from the eyes of all and bore him to the house of the Virgin Mother. And all the Apostles in a like manner from the places where they preached the word were lifted up and rapt away and set down before the door. And they inquired "What is the cause that the Lord hath brought us to this place?" Then John came forth and showed them all things. So they entered into the house and saluted Mary and she said to them: "The Lord hath brought you here for a comfort against the woes to come; and now I pray watch until the third day even until that hour when the Lord shall come and I shall depart from the body." So for three days they waited praising the Lord.

And on the third day, about the third hour, lo! Our Lord appeared with a great multitude of the heavenly host praising God. And the Saviour said "Come, my chosen, my precious pearl, enter into the abode of eternal life."

And Mary threw herself prone and adored the Lord.

Then afterward that blessed Virgin rose and lay upon her bed and giving thanks to God sent forth her spirit. But the Apostles saw only a great light whiter than snow and more shining than all silver.

Then our Lord commanded the Apostles to bring Mary's body to the tomb and to watch for three days; and he himself gave her soul to Michael the Archangel who is the keeper of paradise, and Gabriel went with her. And by Our Lord and his angels she was immediately received into heaven.

Now there were three virgins there who prepared Mary's body for the grave, and when they had put off her garments the body shone with so great a light that they could by no means behold the body. And when they had washed the body they clothed it with the linen garments of the dead. But when the body was clothed the light by degrees grew less until it wholly vanished away. Then the face of Mary, God's mother, was like to the flowers of the lily, and a fragrance went forth from her so that no fragrance could be found like to it.

Then the Apostles laid the body on a bier and they said "Who shall carry the palm?" And they gave the palm to John, because he was a virgin

chosen of the Lord. So they went forth singing "When Israel came out of Egypt: Alleluia." And behold as they went a great miracle, for a crown of cloud, very great, appeared over the bier as a great circle is wont to appear in the splendor of the moon and the hosts of angels were in the cloud chaunting sweet hymns and the earth sounded with the sound of the sweetness.

Then from the city came forth a great multitude, a thousand and fifteen men, greatly wondering. And one approached and would lay hold on the bier to overthrow it, and lo! his arms became fastened to the bier so he could in no wise loosen them. And at the same moment the whole crowd of the people were smitten with blindness by the angels. Then the man begged Peter to loose him from the bier, and Peter being moved did so. And he said to the man, "Take the palm and go into the city and lay it upon the people's eyes and tell them the great works of God and they shall see." And the man did as Peter said to him.

Then the Apostles bore the body of Mary to the valley of Josaphat, to the tomb there as the Lord had showed them. And they laid her in the tomb and closed the door and sat before it as the Lord commanded. And suddenly the Lord Jesus appeared with his angels and said, "Peace be with you." And he asked them what should be done for her who was his mother; and Peter and the others said, "Lord, thou didst choose this thy handmaid to be thy immaculate dwelling place; so then it seems to us that as thou, having overcame death doth reign in glory, shouldst in a like manner quicken thy mother's body, that thou mayest bring her to be joyful with thee forever in heaven."

The Lord answered, "Be it according to your word." And he commanded Michael to bring back the holy soul of Mary. Then behold Gabriel rolled back the stone from the door of the sepulchre, and the Lord said, "Rise, my love, my fair one, who hast not known stain nor hast felt corruption in the tomb." And immediately Mary rose and came forth from the tomb and threw herself at the Lord's feet and adored him. And the Lord kissed her and gave her to the angels to bear into paradise. And he said to the Apostles, "Come near." And they came near and he kissed them, and said. Peace be with you: lo I am with you even to the end of the world. And when he had thus said he was lifted up, and the clouds received him and the angels with him, bearing the most blessed mother of God into God's paradise. But the Apostles were borne up and carried each one to his own place, glorifying God and Jesus Christ, who liveth and reigneth with the Father and Holy Ghost, in perfect unity and one substantial divinity, for ages of ages.—Amen.

The death of Mary as told by later writers differs somewhat from Melito's account, although in no important particular. These are the words of Nocephorus:

When Claudius had reigned five years, and the blessed mother of God was living her sixty-first year, her Son's message came to her through an angel that she must die. Mary received that message with exceeding joy, and began to make ready for the coming of her Son. Lights were kindled throughout the house: the house itself was swept and garnished: Mary's friends and kin-folk were called and all was made ready, rightly and in order. When John was present, and women who were joined to Mary by kinship and love, that blessed Virgin showed the palm which she had received from the angel's hand, and said that she now must die. And all present wept at that word, pouring forth a flood of tears. Then Mary's two garments she ordered to be given after her death to two poor widows who had shown her good. Even while she was yet speaking thunder and storm was heard, and immediately the Apostles were present gathered from all the earth. Mary received each one and prayed for what each most desired, and blessed them, and said farewell, and bade them not to grieve, for that her passing should be a cause rather of joy than tears. Then did she give directions for her burial and her tomb, and she called to her Peter and the rest who came with shining faces. As they stood gathered about her couch, Mary gave thanks to God and composed herself decently, and with a sweet smile crying out Let it be to me according to thy word, she gave up the ghost.²³

There is a material difference in the accounts of Mary's resurrection and taking up as given by the later Greek writers and Melito.

²³ Niceph. H. E., lib. ii., c. 121. German, Const. 3 serm. in Dor.

The later writers say that Marcian and Pulcheria, rulers of Constantinople, had built there a splendid church called the Church of Mary in Blachernæ. They wished to have her body preserved in it as a relic, and so when Juvenal, bishop of Jerusalem, had come thither to attend the Council of Chalcedon, they asked him if he were willing to give over her holy body. Juvenal answered "that in the holy Scripture nothing is written of Mary's death, but that from a very ancient and authentic tradition, it had come down that at the time of her passing the Apostles, who were preaching over all the world, had been lifted up and carried to Jerusalem. There they heard divine songs; and then, in a wholly wondrous and divine way, Mary's Son had appeared and received into His hands her holy spirit. Her sacred body, amid the hymns of angels was carried forth to Gethsemani and laid in the tomb, and for three days the angelic singing had continued. On the third day Thomas came, and the Apostles went with him to open the tomb that he might venerate Mary. When the tomb was opened the body was not found but only the linen grave-clothes untouched and unharmed which gave forth a delicious odor. The Apostles departed and they could only come to this conclusion: that God, the Word, and Lord of glory, who had once been pleased to take of her flesh, had now glorified her body, undefiled and immaculate, with immortality before the general resurrection. Through the ministry of angels had He conveyed that body from corruption to some abode of celestial light, so that she might rise apart from other men even from the most praiseworthy and renowned."

J. H. W.

SOCIAL REFORM.

THE student of the whole reform movement of the present is much attracted by the strength, earnestness and sincerity of most of the work done, by the widespread conviction that something must be done quickly, and by the hopeless diversity of view, method, aim and philosophy, to be found among those most earnestly engaged. That many of these differences are due to psychological traits found among advanced reformers, was shown in a study of those traits in the April *Quarterly*. Still many phases of reform remain unexplained. Whether we take different social problems into account, or, ignoring their differences, confine thought to any one problem, we find even here confusion, disorganization, warring views and wasted effort, because of some fundamental differ-

ence among the reformers themselves. Mutual understanding among them would lead to the accomplishment of much more good at an expense of energy less than that now consumed in aimless work. The great lesson needed by reform—we may well say, by modern society itself, is that of the unity of life—the oneness of society—the solidarity of interests; the lesson that any one problem is a problem for all society and all problems are together but one. We boast that we have broken up the unity of life when we should do penance for it; we look to that achievement as our glory when it is our defeat. A study of the whole question of reform which may lead us to this thought will aid somewhat to understand the variations of reform movements.

Social problems antedate reform. The recognition of the problem, the impulse to meet it, organization underlie all efforts at social reform. It is not strange then that many scholars have tried with varying success to formulate the social question; to reduce to one generalization the estimates of our great modern problem. Before going on with the main thought, a review of some of these attempts will be of service. It is customary for writers to summarize the chief facts of modern industry, to sketch the current ideals of life, to formulate the social question comprehensively, and suggest a comprehensive solution that meets the condition described.

Briefly summarized, the main facts of modern society are these. Its basic element is industrial; its fundamental principle, individualism; its main ambition, material progress; its dominating form, political. The mediæval unity of ideal, organization and law has disintegrated through the force of the principle of individualism which holds that a maximum of liberty for individual initiative is most conducive to progress. In the general individualistic movement of three centuries, religion became a private concern, the state was reduced to narrow limits, the corporate organization of industry vanished. The old ethical and religious ideals were supplanted by the newer industrial ideal; the world became a factory, life a struggle, society a company of producers and consumers. Private property, freedom of enterprise, competitive industry, manufacture for profit, all gave tone and direction to life. Perfect means of communication and transportation have made of the world one market; advance in invention has enabled society to produce in enormous quantities. Industrial activity is, therefore, too vast for the individual. Capital is massed, genius and power are required, great numbers of laborers are gathered. Property and all authority are in the employers' hands. Life is business and business is neither philanthropy nor sentiment nor ethics. Through the pressure of competition, wages are low and insecure, hours of labor are exces-

sive, homes are expensive, rents are high, women and children are forced to work, and the tenement is their refuge. The reaction which has to a great extent corrected these tendencies has not brought to the suffering classes all that they wish. They still regard their condition as one of slavery and misery.

While this condition has developed in industry, democratic institutions have developed in political society. Human rights and dignity are highly rated; ideals are taught, education is to be had for the asking. Somewhere in all of this complex condition is to be found what students call the social question.

Vonscheel, who wrote a lucid study on the theory of the social question in 1871, finds that the problem is in the deep contradiction between economic and political development. In industry we tend towards slavery; in politics, toward freedom and equality. We are educating man to expect more and more, and at the same time, placing them in conditions where they get less and less, relatively at least. Political rights unaccompanied by material comfort are, in the eyes of the suffering, meaningless. The contradiction, consciously realized, has given rise to the whole modern discontent which expresses itself in the social movement. Paulsen in his Ethics states that the question is in the dissolution of the social body into two antagonistic classes, with consequent loss of sympathy, understanding and coöperation. Mackenzie in his Social Philosophy claims that what is wanted is some principle which will enable us to bring about a more perfect connection between the parts of society; to form new links and ties which will free men from iron laws over which they have no control. Stein in his ponderous work on the social question says that all problems unite finally in the one; in what conditions must the association and coöperation of social groups which are progressive in industry and culture be placed so that the resulting social organization will be in a state of such equilibrium as will bring contentment to all of the members of society. Hitze finds the problem to be in finding a new social organization which will correspond to the modern conditions of production, as, for example, was the case in the middle ages.

These may be taken as typical. In all cases the natural unity of society is assumed, the vital problem is found in the disintegration which we see about us; the solution is in a restoration of unity and the establishment of sympathy, peace and solidarity among men. Such views are based on a large concept of society; and on a historical review of its tendencies. We may reach the same thought by an inverse process; by the study of the individual himself and the discovery of society through him.

The universal fact in human life is want; the universal force, de-

sire; the universal law, satisfaction. Without want, desire, satisfaction, there is for man no life, activity, power. He begins life as an evolving being, driven by internal necessity to seek objects which give him pleasure, life, development. His earliest wants are physical. After their period of domination, intellectual, moral, social, spiritual needs, aspirations, ambitions are awakened sympathetically and his whole life becomes a process of majestic evolution toward expanded, refined, ennobled existence. As the flowering shrub firmly fixed in the earth, slowly reaches up and out, taking from sunshine, moisture, atmosphere, the elements of growth, expands gradually into trunk, branches, leaves and flowers of surpassing beauty, so man, fixed on earth, by his physical needs, grows, expanding into the spiritual and mental beauty that give him dignity, glory and power. In all of this process, we find new wants, new desires, new capacities appearing, man unfolding into larger life.

Progress lies in multiplication of wants, in improved methods and security in meeting them; wisdom is in their right control and happiness in their satisfaction. Wants may be real or imaginary, good or bad, temperate or intemperate, well proportioned or badly proportioned; in any case, all life and all development; all pleasures and all pain; all problems and all achievements of society are problems of want, desire and satisfaction. Thus sin and virtue, culture and comfort, ambition and hope, honest work and high endeavor, dishonest work and low endeavor, are varying modifications of this one law. The lazy man has few wants and little eagerness; the avaricious man compresses and converts future possible wants into actual real needs, and is stimulated to parsimony thereby; the spendthrift and thriftless have no wants but those of the present and no thought for the needs of to-morrow; the ambitious man places his wants on a high plane and finds no rest short of their satisfaction.

We see, then, that the wants of men are elastic and more or less under the individual's control. In the midst of plenty, we may expand them; in scarcity, we suppress them. Men have gone hungry to buy books, endured misery to protect virtue, denied themselves food to buy clothes. We find too that human wants are sensitive, responsive. Circumstances will suggest them; at once they appear. Once awakened they are with more or less difficulty suppressed. With all of this, our wants show a notable uniformity; we are inclined to like and dislike substantially the same things. When a gradual uniformity has established itself and any class of men has become accustomed to the same tastes and desires we find that these become fixed, rigid, irresponsible. Certain internal traits in us affect the direction and developments of our wants; such are for instance rivalry imitation, love of approval, of distinction, of activity. To

want the right things in the right way, and to possess and use them properly is the final best development of an individual life.

The individual thus capable of growth, thus responsive and elastic, lives in society; he is associated with his fellows, modifying, and modified by them. We have now to look for the chief factors that affect an individual life in its evolution in society, for the purpose of coming to a clearer understanding of social problems and reform.

We find everywhere uniformity in men's wants and the ways of satisfying them; men find it convenient to do as others do. The uniformity which results from this fundamental fact is called custom. Custom, therefore, tells us in advance what we shall want, how, when and where we shall want and how we shall satisfy our wants. Customs impose themselves upon the individual, in his physical, mental, moral, social and religious life. Custom fixes clothing, food, language, rest, manner, the arrangement of our homes, and the location of objects in and about them. Our customs in taking food govern us like laws; what we shall eat, when, where and how, are questions answered for us in spite of ourselves. Customs among children, adults, tramps and savages vary greatly, but in each case they affect the whole tenor of life. Had we similarly rigid customs about drink, the whole range of the intemperance problem would be changed, if indeed the problem were not altogether solved. Similarly religious, educational, social, industrial customs give to life the greatest uniformity. The individual is preformed for good, culture and refinement or for evil, just as the character of customs is of one or the other kind.

Gradually the more important interests of society manifest the need of greater security than custom alone would give. Society provides for such by creating institutions which, consequently, are established methods by which certain great social purposes are worked out. Growing out of society, they gradually react and tend to shape society, acquiring a rigidity and power that are important factors in social stability. Sometimes institutions are created by conditions of fact; again they are created by law. State, courts, juries, elections are political institutions; money, credit, private property, capital are industrial institutions; priesthood, public service are religious institutions; teachers, prizes, examinations, degrees are educational institutions. We see at a glance the great influence that institutions necessarily exert on the individual; how his wants, ambitions, opportunities will be shaped, controlled by such institutions as immediately affect him. They give free play to certain tendencies in man, tend to unite men of similar tastes, to create opportunity or hinder it. Actual industrial institutions do not create avarice, commercialism, inhumanity. They draw together

strong men, in whom on account of incentive, opportunity and association these traits come to strong expression.

When society becomes introspective, examines itself, the deeper nature and tendencies of man, seeks a philosophy of life and its relations, it formulates fundamental views of man, his dignity, rights, nature, destiny; teaches and believes these. Thus taught they constitute the chief treasure of a civilization. These views are called principles. They gave animation, tone, even life to their times, since philosophy culminates in its estimate of man, his nature and dignity. They teach what are the legitimate wants of man, the development to which he may aspire, the claim that he has to the opportunity implied; they furnish the standard by which we estimate the success or failure of institutions. The ambitions, hopes, efforts of an epoch in life obey the current principles as quickly and persistently as the needle obeys the magnet. Men, because responsive in their wants, generally fix their conception of life to agree with that conception of life which allows the largest expansion to them. Hence the awful power that has come into the social movement of our time. Men are not fighting to-day primarily for bread and meat. They are fighting for comfort, and in the next generation they will fight for ease and leisure and culture. The whole modern movement is a natural, instinctive, sustained response to the current principles which teach us that men have the right to a larger life than history has yet accorded to them as a whole. In quarrying, we drill deeply through hard rock, pack dynamite, set fuse, cover well to hold the force of explosion down and force it laterally. Thus we loosen enormous quantities of rock. So when we place in the minds of men new ideas about self, rights, dignity and destiny, though, at the same time, existing institutions do not allow room enough for the expansion, we prepare a social explosion which may shatter institutions beyond repair. An idea of this kind once thrown out will not perish; it endures till revolution, peaceful or violent, shall have adjusted life to it. Men's ideas about their own dignity and rights have not the convenient elasticity shown by the genie in the Arabian Nights, which expanded into a cloud and, at the fisherman's request, easily compressed himself into the little box on the seashore. The estimate of man is the test of any philosophy, just as the chance to be that kind of a man is the test of a civilization. Professor Small says well (*American Journal of Sociology*, vol. 3, p. 34): "Men have taken the measure of themselves in the person of more strenuous men. Great men have served to show what is latent in little men. Rare men have explored the possibilities of life for mediocre men, and average life has tended to achieve the fullness and diversity of many exceptional lives. Extraordinary

men have roused desires dormant in the ordinary man, and thus humanity has progressively found itself in its most forceful specimens and in them and their works, the rest of men have learned to know their own nature and power and destiny." When a battle line opens fire, sound and smoke are massed around and about it, while the bullets scarcely heard fly to bring death and maiming to the enemy far distant. It is so with the noise and smoke that surround the teachers of new and soothing views in troubled times. Minds far away in time and space are struck, stirred and roused to the consciousness of new and higher life, new dignity, and there is no rest until the new wants are met by the institutions under which men live. The simile is not out of place, for often enough new ideas have called to arms and battle and bloodshed when wise statesmanship did not hear the demands and grant them. Thus, feeling in lower circles and thought in the higher, meet and draw the world onward, with a power and finality that no known force in history can resist. In last analysis, the whole process is merely that of expanding the conception of life, of learning new wants, feeling new desires and demanding their satisfaction.

Looking over society in a general way, beyond customs, institutions and principles as affecting human wants, we find that society falls into groups or classes. Locality, occupation, education, wealth, descent and many other principles of division exist, so that the mass of men and women are thought of and known as belonging to classes. In such classes we find likemindedness and sympathy; the members like the same things, seek the same things, avoid the same things. Thus the class presents to us a standard within which the wants and desires of the members remain. There is a maximum over which and a minimum under which it is not usual for the members to allow their wants to go. Imitation, fear of disapproval, love of distinction, of popularity force the class members to hold life mainly to the ideal of the class. The effect of this influence on the individual is very great. When these class ideals are simple, healthy and honest, their sustaining and refining power in individual life is immeasurable. They stimulate the nobler wants of life and repress the ignoble with great power. The relation of such ideals to a social question, however, is best seen in the effect of those that are unwise on individual lives. We see reduced families straining, pinching, persecuting themselves to maintain a respectability which they once enjoyed in comfort; ambitious families exerting every power, trying to reach a higher class; husbands resorting to gambling, cheating, breach of trust in order to support a station beyond the means which they can legitimately command; ambitious parents teaching to their children tastes which their talents do not warrant or their means

allow; done, sometimes with regret and as often without it, because their children must support the station ambitioned by the children with which they associate; poor families striving for elegance, show, parade in important events in life, as funerals, weddings and school graduations; borrowing, stealing possibly, neglecting debts, to buy a fine coffin, or beautiful dress or rare flowers. Most of these things seem to be the result of the pressure of a class ideal or tradition, which exerts a power little short of tyranny. Where means permit it all, there may be no harm, but where they do not, tragedy results. Really great men and women escape this influence because they are simple and brave. They seek the substance of things and detest show, knowing how the true values in life are measured. We are told every day that the young men will not marry because the young ladies are too extravagant, or that the young men are so selfish that they spend their salaries for foolish things and cannot afford to marry. All reduces itself in last analysis to a question of wants and of proportion between them and the means at one's command.

Partly coincident with the foregoing and partly distinct from it, we find that our educational system and ideals have great influence on our wants and desires. Over-education and under-education, useless and vicious education, education that clouds, misleads, falsifies the substantial relations of life; such types there are in society and their effect is very great. Our wants should be educated; beyond them there is in us nothing to educate; and yet how little is done. Our chief business in life is to know useful things, know how to love them, seek them, to be eager, wholesouled, simple, never lazy, dishonest or superficial in what we seek and love and do. As long as we confuse schooling and education we shall be in error; while we call A educated because he knows Greek and Hebrew and Mathematics, and we call B uneducated because he has not gone to college, though he knows pity and sympathy, delights in honest work and simple life, passes his days at a forge and his evenings at home; as long as society elevates A and ignores B, it is useless to hope for much improvement. Home, church and school are the forces of education in our life. To them we must look for radical correction of such ideals before we can expect to bring about the reforms so much needed. A common understanding of the real values in life and coördinated effort to teach them honestly and make of them forces in lives would be the prophecy of a golden age for society. But even these three centres of education are distracted, out of sympathy; without a semblance of coöperation for a common end.

The outlines of the wonderful process by which the individual develops are now before us. A creature of unlimited wants, responsive, elastic, he is in contact with his environment at a thousand points

from which subtle influences emanate constantly, tending to shape his whole life. When self-consciousness dawns, the individual finds himself in the habit of striving to satisfy standards and ideals; why, he knows not, yet irresistibly impressed, led, shaped. The influence of environment is therefore incalculable. Were all of our customs, institutions, principles, social ideals, systems of education, animated by one uniform spirit, directed by one controlling thought, working in entire harmony, supporting one another, all wisely coördinated and nobly constructed, it would be all but impossible for man to go wrong, to be vicious, or to be other than wise, kind, noble, humane, upright, spiritual and God-fearing. Individuals might err, but classes, scarcely. This condition would all but eliminate the will from the situation except as far as it harmonized with the irresistible force of such a happy environment. But the reverse is the case. There is neither understanding nor wisdom nor support among these agents; no one feels total responsibility, the action of one is neutralized by that of another with disastrous results for all society and for the individual as well. He is exposed to every kind of influence; tossed here and there; every kind of feeling is stirred at times in the most contradictory way; conditions forcing pursuits that conscience would repel; religion teaching what politics would forget; state neglecting what it should do and home misleading by pitiable neglect of duty. In this distraction of forces that providence certainly made for the gentlest coöperation, man is incalculably weakened. We see strong true homes overcome all of this and send forth into the world, the noblest types of character. We find splendid men and women coming from the most unpromising surroundings; good men becoming evil, and evil becoming good where outer circumstances seem to remain unchanged; we find vulgarity often where we look for refinement, and refinement where we expect but vice.

We are led in our analysis finally to the individual himself. He is supposedly a free agent, in reciprocal relation with environment, yet more or less free, self-determining; a coefficient in producing his own condition. He has power over his wants, exertions, ambitions and pursuits. Men like this or that, do this or that, work or idle time; merit confidence or destroy it, largely through traits for which they may legitimately be blamed. That they save earnings or squander them, be lazy or industrious; drink, carouse and gamble or be temperate and prudent is to some extent a matter of choice, positively or negatively and of intelligence. Young men like city life better than country life. They swarm to the cities, and that simple taste thus causes a series of industrial, social, moral, religious problems of the first magnitude. Girls prefer factory work to domestic service; they go to the factories. The results of the choice

are found in homes, in wages, in morals everywhere. In addition to this element of choice or self-determination as seen in purely social consequences we now meet the whole problem of evil and sin, self-indulgence, disordered appetite, moral perversity. Whether man be his own devil or an evil one "goeth about like a roaring lion, seeking whom he may devour," sin is an enduring fact that no social student may ignore. What may be its relation to will, to social causes; in how far sin as we see it is in men as victims rather than as malefactors, we need not say. For present purposes we might make a formal distinction to the effect that evil is one phase of individual choice. We are thus carried through our analysis. All life is reduced to need, desire, satisfaction. The individual's nature—as representing a typical number and kind of wants—is elastic, responsive. The chief sources whence influence comes into individual life and development are the social customs, institutions, principles, class ideals, education, personal choice and evil or sin. Aside from the hundred other forces which play on life, these exercise a determining effect and, for present purposes, they suffice.

A social problem is presented when a class in society has not right wants; when, having them they cannot be satisfied; when its members have immoral wants. Men may have too many or too few wants; either condition presents a problem. A class low in the so-called social scale, unenlightened, apathetic, lazy, careless of everything, presents a most complex social problem. A class with definite culture wants, which are reasonable and opportune, whose wants cannot be satisfied in the circumstances, gives us another distinct problem. A class with abundant means, but bent primarily on self-indulgence and dissipation, nonsense and vice, gives us another problem quite unlike the others. Each condition is the product of distinct forces in some measure and each requires careful methods if we would meet it successfully.

We are accustomed to classify in society according to conditions; the rich, the poor, the laboring class, etc. For purposes of reform it would be far more helpful were we to classify according to causes. Not that a class is distressed, so much as why it is distressed, is the social question. Taking up the chief of our reform movements, we find that they classify themselves fairly well in the analysis here made. Socialism blames the fundamental principle of individualism for our social problems. The basis of society is industrial; our institutions, customs and ideals are therefore shaped by our industrial organization. It is individualistic in principle. All of our problems are created by this condition; they will be solved when we reform industry according to a socialistic principle and renew our ideals, customs and institutions in sympathy. Whatever be the variations

in detail and method among the schools of socialism, all unite in this fundamental view and thus represent a united body of teachers of a reform idea.

The Labor Movement looks less deeply for the causes of present evils. It finds that in principle our social organization is not at fault, but the failure of our institutions to meet new industrial tendencies, dangers and demands, has exposed the weaker laboring class to the tyranny of the stronger employing class. Hence its reform plan contemplates immediately the introduction of legislation, the massing of laborers in unions and the control of wages through organization. In the mind of the labor movement, the social question is twofold: it is first a question of satisfying present legitimate wants which extend beyond mere physical existence and reach into intellectual, moral and social phases of life; secondly, the question is one of raising constantly the standard of life, the quantity and quality of wants and securing their satisfaction. Mr. Gompers speaks in this way on the matter:

"The wage-earners are earnestly striving to obtain a living wage, which, when expended in the most economical manner, shall be sufficient to maintain an average-sized family in a manner consistent with whatever the contemporary local civilization recognizes as indispensable to physical and mental health, or as required by the rational self-respect of human beings. That living wage changes continually, for what constitutes a living wage to-day, may be entirely insufficient a decade hence."

This is to be accomplished by economic action, legislation and agitation. In analysis of conditions the movement stops short of attacking principles and confines itself to gradual conservative modifications of institutions.

The modern state, itself our most powerful and influential social institution, admits that it has a certain reform function. It is committed to the principles of present organization, but admits with more or less reluctance the existence of veils which call for legislative remedies. But it is not primarily interested in reform; it is reluctant to be convinced and it acts doubtfully when convinced. Nevertheless through legislation much reform work has been accomplished.

The average successful man in the world to-day if he gives thought to social problems, is apt to believe—very many do—that the social question is an individual question; that choice self-determination is the cause of misery. They minimize the influence of philosophy, of institutions, of social ideals and hold to the theory that the individual who has a wise wants too much, and that his legitimate wants must be satisfied if he but willed it and practiced the virtue.

common sense. Many instances of the influence of this view may be found mentioned elsewhere in the *Quarterly* (pp. 32-34, Vol. XXIV.). Since men of this type are as a rule high in political, industrial, social and religious life, they exert a great influence on public opinion and materially affect reform work. They do a real service to society in holding to the general conviction, though they do hinder needed reform by exaggerating the view to degrees out of all proportion with reality. Many communications in magazines and books and newspapers on Success, Aim in Life and similar topics teach with practical unanimity that the individual is master of his own fate. Such teaching surely stimulates many, but it is true only in part.

The Church, in its general spiritual doctrine, assumes that the individual is as a rule master of his situation. He must work out his sanctification, and in so doing indirectly meet social questions. By the nature of the case, the Church regards sin and evil as the primary social questions. Avarice, passion, pride, luxury and similar inordinate appetites, due to nature, to social influence, to temptation, resolve themselves finally into courses of conduct over which more or less control might be exercised by the individual. In positive reform activity the Catholic Church in Europe has constructed a coherent theory of reform which distributes causality in the social question to nearly every source of influence described; in part principles, in part institutions, classes, individuals. The one reform which can adequately meet the situation is that which coördinates all of these efforts, works with understanding and sympathy and aims to uplift the individual by purifying the medium in which he expands to Christian manhood.

We find no reform movement occupied with the improvement of our general social customs as they affect social questions; none attempting to correct our class ideals and modify the tyranny which they exert; some activity is seen in the field of education, but the far-reaching rôle of education in social problems and reform is not fully recognized. Ruskin's splendid views remain without a following. Education looking to mental development is reforming itself rapidly; as a factor in social reform, its consciousness is but an awakening.

chief reform movements, thus, seem to be inspired by varying views as to the cause of social problems, their nature, and as to the ultimate aim of reform effort. The harm that is occasioned will be seen readily, if we but study for a moment the individual as he appears in social problems.

organically, psychologically one; one in nature, with limitations. Manysided, with powers varied and of exquisite refinement and of deepest degrada-

tion; mounting to the infinite in his perception of beauty, truth and goodness, yet capable of total paralysis of all that is high and true and good in him; with all and throughout all, the individual is one. Ambitions, hopes, volition, conduct, temperament; what he accepts and what he rejects; his weakness and his strength, his virtues and his vices are one psychological moral system; part bolted to part by nature's strong arm, in a unity as enduring as the very mountain. The statesman, shaping the course of an empire, reading a novel, visiting the theatre, attending divine service or playing golf is one; the same individual, expressing himself now in one way, now in another, but always one. By a figure of speech we say that we lay aside cares when we seek amusement. But we do not in fact. In everything that we do, our whole being comes to expression positively and negatively as truly as that the whole weight of a sphere is centred in the portion of its surface that touches the table on which it rests.

The individual, thus one though manysided, expresses the effect of the interplay of many varied influences in his whole life. His politics, business, amusements, ambitions, methods are not separable parts of a machine; they are rather inseparable and are what they are because of their relations among themselves in his life. It follows directly that in social questions the whole individual appears. The whole man is in every social question; to dissect the social man is to kill him. The individual is whole and entire everywhere in social questions, as the soul is whole and entire in every portion of the human body. There is no ethical question that is not related to economics, no political question that is not ethical; scarcely a social question that is not industrial. Any question is a problem of all society because it is a problem concerning the whole individual. The degradation of a laborer, the sin of an unrepented Magdalen, the tyranny of a sweat shop boss, touches all society, all life. Back of each is the failure of a life, a home, a religion, a nation, a civilization in a widening perspective of awful desolation and defeat. We may not forget it; each individual is in a sense all society, the whole individual is in every social question.

We are brought by this truth to the further consideration that the proper agent of reform can be only one which takes hold of the whole individual, an agent which sees spiritual, moral, social, industrial, political, intellectual in one glance; which sees their relations and understands them because it sees and understands the complete nature and destiny of man. Modern society has divided undivided man into religions, politics, business; into governments and states; it has thought that problems were isolated conditions and has failed to see that this disintegration is itself our greatest problem. Great men and great thought have always believed in this unity of

life and in the inseparability of its parts. Our economic development is carrying us back to unity and solidarity in fact, in spite of ourselves. Our thinking, particularly the evolutionary thought and the organic concept of society, are directing us back to the idea of unity. Sympathy and interest likewise point back to the old idea, in proof of which we find Mackenzie saying in his *Social Philosophy* (p. 110):

"Probably there was never any time in which men tended to be so unintelligible to each other as they are now on account of the diversity of the objects with which they are engaged, and of the points of view at which they stand. It is for this reason no less than on account of the conflicts into which they are led that men begin to be conscious of a pressing need for the presence of some universal end in the pursuit of which all men may once more become united." A foot note adds: "We are, however, beginning to see glimpses of universal principles by which such differences may be reconciled."

It may not be too much to say that a future not far distant will realize this truth fully and attempt to reorganize society.

Socialism and Christianity, specifically the Catholic Church, are the two powers in society to-day that openly profess and profoundly believe in the total inclusive unity of life, of the individual, of society and which present plans of social reform in which this unity is the directive principle. Both possess a philosophy, an economics, a politics, a science coherent, coördinated, the unfolding of a single thought. Socialism, in tendency, atheistic, terrestrial, external, material; Catholicity, believing in God and His Christ, celestial, internal, spiritual. The two are combatants for the supremacy. We cannot doubt that if an issue ever comes, that the latter must triumph. When the Church possessed universal power, she aimed at universal discipline—an effort "forever admirable," as Ingram says, because it sprang from a noble enthusiasm for humanity. She believes in it to-day. Before modern industry revolutionized life she taught the unity of life, of the individual, of society; the oneness of social problems and the oneness of reform; before modern states discovered the inadequacy of their power, their philosophy, their statesmen, she believed and taught it; before modern economic development began to force the thought on the world again, she taught and believed it; when modern thought shall have discovered this truth, it will find that the old historical Catholic idea and organization are identical with its best thinking and powers. The key to reform is in the truth that the whole individual is the social question and only the control of the whole individual can effect reform.

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VERY REV. AUGUSTINE F. HEWIT, C. S. P.

THE five original Paulists were priests dissimilar in cast of mind and temperament. A holy and common purpose was the basis of the unity of their lives. In the days when they were born some of the choicest spiritual traditions of the American Republic came from New England. For the most part this select constituency sprang from the loins of New England stock. Such could be said preëminently of the subject of our study. He had therefore by birth those natural susceptibilities which are conducive to exalted spiritual aspirations. His father, Rev. Nathaniel Hewit, D. D., was religiously-minded and of a strong and masterful type of character. Such manifestations of individuality expressed themselves in the vehemence with which he took hold of public questions. He was a temperance reformer whose utterances were known even in England and who defied public sentiment in those ancient times when rum was both in Connecticut and Massachusetts as palatable a beverage as is milk to the mouths of babes and sucklings. The American origin of the Hewit family reflected back to a minister of the Church of England who was dispossessed because of Puritan tendencies by Archbishop Laud. This was thought to be the cause of his coming to these now United States.

Father Hewit was born November 27, 1820, in Fairfield, a picturesque town near Bridgeport, Conn. He had for his mother Rebecca Hillhouse Hewit, a woman said to be, by those who knew her, lovable, refined and very beautiful in appearance. Remotely her family was of mixed English and Irish blood. There was a religious strain running through her lineage. The Hewit and Hillhouse families originated from the same American colony and the first settler of the latter household was an Irish Presbyterian parson. From this, one would gather that Father Hewit's beginnings had much of the charm and romance of adventure which hover around the brave lives of the American colonists. It is certain that his father, Dr. Hewit, commanded the reverence of the Congregational denomination. His biography makes him out to be a preëminent figure, majestic in form, of serious aspect, whose bearing denoted moral and spiritual composure. He was a graduate of Yale—1808. He finished his theological course at Andover—1814; was made pastor of the Congregational Church of Plattsburgh, N. Y., 1815; was transferred to Fairfield, Conn., 1818; then to Bridgeport, Conn., where he served as a minister for nearly fifty years. In 1862 his work was crowned with the title of Pastor Emeritus. He died in 1869.

The influence of heredity, be it remote or proximate, in the formation of character is always an interesting consideration.

Some time near the year 1828 Dr. Hewit visited England as a representative of the American Temperance Society. He lectured in all the large cities and a record is given of a meeting in Exeter Hall, London. Much is said of his "producing upon all a deep impression of his great power" and his "splendid and fiery eloquence —the outcome of his deep sincerity." These things are told here of the father in order the better to bring to light the characteristics of the son. He inherited something of his father's appreciation of the grave difficulties of the temperance problem and this was more notable since by nature he was never drawn to a sympathetic analysis of popular questions.

Father Hewit had some share of his father's oratorical ability, if that gift is to be measured by the effect of lasting impressions. Likewise in his mother's family were there conditions to predispose the son to study the public spirit. Her father, the Hon. James Hillhouse, became a member of Congress about the year 1791. He was for sixteen years United States Senator from Connecticut. A curious incident is related of him that as President of the Senate he was called upon to be acting President of the United States for one day. The outgoing President retired a day too early and his successor had not been sworn in.

When six years old Father Hewit went to the Fairfield public school; at eight he was sent to the Phillips Academy at Andover; at fifteen his name was entered at Amherst College and he was graduated from that institution in the year 1839. Among his classmates there were some of distinction, such as Bishop Huntingdon, Henry Ward Beecher and the Rev. Richard Storrs, D. D.

After graduation the mind of the youth naturally turned to the religious system which he had received by inheritance. In the Congregational Seminary at East Windsor he fitted himself for the ministry of that denomination. He had acquired the authority to preach and there seems to have been opening out to his intellect, at that early period, the unreasonableness of the doctrinal economy which by right he was professed to teach. The genius and argument of Calvin blighted the fresh imaginings of his youth. Calvinism has destroyed the religious instinct in more souls than one. The mockery and hatred of all things spiritual so vehement in the career of the American Agnostic, Colonel Robert G. Ingersoll, are often referred to the Calvinistic gloom which hung about the perilous adolescent period of his life. The reaction which follows from such a mental condition is always dangerous and sometimes fatal.

Young Hewit escaped without any radical injury, but he never

forgot, as is evidenced by some passages in his writings, the depressing experience of those unhappy times. The memory of them probably provoked in later days the making of that lucid and closely-argued book, "Problems of the Age," which contains as a sequel some "Studies in St. Augustine." Among other motives for the publication of this essay on the illustrious Doctor he says, "We wish to show that neither the saint himself nor the Church of his period held the Calvinistic or Evangelical system and thus remove the misconceptions of both Calvinists and Pelagians."

In Father Hewit's "Memoir of Rev. Francis A. Baker, C. S. P." there is an account of his meeting with Mr. Dwight Lyman, the intimate friend of Mr. Baker. He writes accordingly that he "felt the charm of his glowing and enthusiastic advocacy of principles which were just beginning to germinate in my own mind." Soon after he met Mr. Baker. In a letter dated Baltimore, April 22, 1843, and written by that gentleman, reference is made to "a Mr. H., a convert to the Episcopal Church and one I believe of great promise. He was a Congregationalist minister, and Rev. Mr. B. read me a letter from him, dated about a month ago, before his coming into the Church, the tone of which was far more Catholic than that of many (alas!) of those who had been partakers of the holy treasures to be found only in her bosom." It may be remarked in passing that Mr. Dwight Lyman afterwards became a Catholic priest of the Archdiocese of Baltimore. He lived a long life as a devoted pastor whose blessings and good works were manifold. His truly Christian death was the natural and graceful ending of a consistent priestly career.

In the early summer of the year 1843 Father Hewit arrived in Baltimore as a candidate for orders in the Episcopal Church. He came to live at Courtlandt street in the house of Dr. Whittingham, the Protestant Episcopal Bishop of Maryland. The reasons which led to this step have been given more or less in Father Hewit's own writings. The more interior growth of his mind and spirit has never been fully revealed to the world. Its most interesting exposition has been found in a long series of correspondence carried on between his father and himself. The relentless attitude of the father and the struggle of the son to harmonize filial respect with the overpowering pressure of his conscience are depicted in these letters in a pathetic manner. He was loyal to the Church of his birth for six years. His defection from it caused his youthful heart many a sorrow. His father did but look upon it as a sin against the light. Prompted by love for his child he could not suppress his wounded feelings. Young Hewit could do nothing but leave his father's house, and like an exile go into a strange land. It likewise blighted a beautiful

and exalted affection which had all the grace and loveliness of romance. But the sacrifices contained in it became, under Providence, the basis of a wider life and larger love. The correspondence between father and son will, let us trust, be published. Its chief merit is the display of the personal element which enters very largely in the process of conversion, a factor which is often overlooked in the study of religious controversy. It is impossible within the limited space of this article to give a thorough representation of Father Hewit's religious development from Evangelicalism to Anglicanism. It became apparent to him that the former, as a system, could not historically justify its position—that its likenesses to the Apostolic Christian Church are but seeming and not real, and that the original reasons for hierarchical organization and sacramentalism can be distinctly proved. In the year 1842 his mind had proceeded another degree toward Catholicism, as is evident from notes, correspondence, and writing done at the time. He began to grasp the idea of tradition and the utter lack of value in Scripture as a basis of faith unless there be a norm of external authority by which to interpret both Scripture and tradition. About this time the Tractarian movement had arisen in England and its influence was beginning to be felt in the Episcopal Church of the United States. The Rev. Clarence E. Walworth has told the story in a genial and interesting book entitled "The Oxford Movement in America." William Rollinson Whittingham, who was Father Hewit's spiritual director, was a disciple of Newman. The Bishop was graduated from the Chelsea Seminary, New York, in 1825. In that institution he was professor of ecclesiastical history for two years. He assumed charge of the Baltimore diocese in 1840. Young Hewit lived with him and was naturally impressed, for beside his devoutness and learning he was one of the most prominent figures in the Episcopal Church in those days. So when the name of Nathaniel Augustus Hewit was presented for ordination to the diaconate he was careful to give his assent to the Thirty-nine Articles only in the sense of "Tract No. 90." However, not long afterwards the Popery charge was hurled against Whittingham. He yielded somewhat by relieving himself of certain ritualistic practices and gave subtle and unreal explanations which distressed the youthful Newmanites that had gathered around him. Although it was a shock to Hewit it was a wholesome one. It taught him to think for himself. He already appreciated the historic force of the patristic argument so logically and eloquently expressed by Newman. But the shock was severer still when news came from England that the great Oxford leader had himself actually entered the Catholic Church. This occurred October 9, 1845, at Littlemore. In Charleston, South Carolina, on

Holy Saturday of the year 1846, Father Hewit proceeded to do likewise. He was now a Catholic. It was then that he changed his name from Nathaniel Augustus to Augustine Francis—in honor of Saint Augustine and Saint Francis de Sales.

It may not be amiss to quote here an unpublished letter written to his father just before this time:

Edenton, February 19, 1846.

My Dear Father: I take my pen this morning to communicate to you a purpose of mine which I fear must unavoidably give you pain, but upon which I trust you will look calmly and quietly. Although it has given me great and most soothing comfort to perceive in your late letters how much your feelings have changed respecting my theological and religious position, yet I have in one sense regretted it, as fearing that you were indulging a hope that in the present divisions in the Episcopal Church, when one set of High-Churchmen have advanced toward the Catholic Church, and another is retreating upon Protestant ground, I might be among the latter class; which hope future events would take from you, and thus occasion a renewal of past sorrow, more painful than if it had been healed.

It is now plain enough that the members of our communion, who have followed the teaching of Dr. Pusey and Mr. Newman, must either retrace their steps or go on into the bosom of the Roman Catholic Church. And as study and meditation during the last three years have confirmed me in Catholic principles, and caused me to advance continually towards Roman doctrine, I find that I must embrace the latter alternative. In justice to Bishop Whittingham I must say and beg you to believe that his influence has retarded my progress towards the Church of Rome more than any which I have felt.

And now, my dear Father, I cannot enter into any minute history of my change, or of my present views. You will yourself see that in respect to the doctrines of Church Authority, Priesthood, the Holy Eucharist, Justification, the Sacraments, I have not essentially changed my views; and also that there is no difference in principle between these and the other doctrines of the Church of Rome. The only new doctrines I have admitted are the authority of the Holy See, Purgatory, the Invocation of Saints and the veneration of images. And these you will perceive I am sure are involved in the doctrine of Unity, of Justification, of human intervention for the forgiveness of sins, and the use of the altar, the cross and other symbols. I have but a few words to say on any of these points at present. Only with regard to images, I will simply say that it is clear to my mind that the sin of idolatry consists in adoring idols instead of the true God: that the prohibition of images and pictures to the Jews was a temporary commandment: that the reason of it was that Christ, the image of God, had not yet been manifested: and that if it is right to make a picture of our Blessed Saviour, it is also right to express the inward sentiment of adoration towards Him which that picture awakens in the mind by an outward act of veneration towards it which we make in token of our worship of Him; just as we kiss the picture of a friend in token of our love to him.

With regard to the Invocation and intercession of the Blessed Mother of God, the Holy Angels and the Saints, it seems to me that it is a necessary consequence of the doctrine that believers are one with Christ and participate in His Righteousness, His Sonship, His Glory, His Kingdom; and are made "to sit together with Him in Heavenly places." As to the alleged tendency of the Catholic belief to draw away the soul from the supreme love and worship of the Father and the Son to an idolatrous worship of creatures, I will only say this, that it is clear from Scripture that all idolaters have their part in the lake that burneth with fire and brimstone, and are wholly unable to love or trust in Christ; whereas it is certain that the devotional writings of those who have been the most strenuous advocates of the Catholic doctrine breathe the purest and the profoundest love and faith towards God and the Blessed Saviour. I know from my own experience that this doctrine has no tendency to draw away the heart from Christ, or to obscure His Mediation, His Passion, His Incommunicable Deity; but on the contrary illustrates and confirms and perfects all.

I cannot, of course, expect you to agree with me. My only object is to convince you that as you believe there are pious and good Catholics, you may believe that whatever is true of the Catholic doctrines in themselves, yet as they actually lie in my mind they are consistent with a true and saving faith. And I would for the same purpose request you to read Moehler's Symbolism, a work thought to be equal to Bellarmine, if not superior. It is my intention to join the Catholic Church in Charleston, where I shall

probably remain some time. I trust I need not assure you that my sentiments of love and veneration towards you remain unchanged, and that I hope for the continuance of confidence and kindness on your part which has made our recent correspondence so grateful to us both. I trust you will see in the frank and open manner in which I have written to you a proof of my confidence in the strength of our mutual esteem and affection. I am happy to be able to say that I am quite as well as I have been. You will know how anxious I shall be to hear from you after your receiving this letter, and I will write directly from Charleston. And now with best love to all, I am your affectionate son.

AUGUSTUS.

The successive stages in the history of that spiritual change are more fully shown in articles in the "American Catholic Quarterly Review" and the "Catholic World." The latter has a popular exposition of his conversion in the October number of the year 1887—it is written by himself. In the former he has a very important contribution printed July, 1895. It bears the graphic title: "Pure versus Diluted Catholicism." Indeed from April, 1891, to October, 1896, only one year before his death, he was almost a constant contributor to this review. It would be interesting to count the number and the total pages of articles written for the "American Catholic Quarterly Review" if only to manifest his literary activity and intellectual strength even to the time of his death. The sudden change of scene from Baltimore to Charleston is accounted for from the fact that our subject was constrained to go South, having had several hemorrhages of the lungs. He was obliged to spend the winter in Edenton; he then went to Charleston.

The seriousness of this physical misfortune may have had some part in sealing the act of conversion. On one occasion only was he known to speak of that critical time, and then he told in a most naïve manner of how he arrived in Charleston at Bishop Reynolds' house, thin and pale as death and having but a few cents in his pocket—all the money he possessed in the world. He had, however, that inexplicable freedom and peace of conscience which is concomitant with entire resignation to the Divine will. The Catholic Bishop of the Charleston Diocese was taken with the young man and introduced him to the Vicar-General, Dr. Lynch, who became afterwards the third Bishop of Charleston. He, with Right Rev. Mgr. Corcoran, the famous scholar of Overbrook Seminary, Philadelphia, and for many years the faithful editor of the "American Catholic Quarterly Review," lived at the Bishop's house. Both of these became Hewit's friends. He aided them by teaching in a collegiate academy which owed its existence to the distinguished Bishop England. At the same time he was pursuing his theological course. On the feast of the Annunciation of Our Lady, March 25, 1847, he was ordained priest by Bishop Reynolds. Shortly afterward he was commissioned to compile and edit the works of Bishop England. This took him to Philadelphia, where he met Bishop Kenrick, afterward Archbishop of Baltimore. While in Philadel-

phia he determined to lead a stricter religious life. He began to look toward the "Society of Jesus" and vaguely thought of entering it, but for a reason which could never be learned he reversed his desire. Moreover, his special radical reason for joining the Redemptorists was never made known. Several times he expressed the salutary impression made on him by his first visit to a Redemptorist convent. He was edified by the missionary zeal of the fathers and by the severity and simplicity of their lives. They accepted him after he had passed his probation. He was professed, took the vows and was sent to Baltimore to the Redemptorist Church of St. Alphonsus. Afterwards his Superior sent him on missions throughout the country in company with Fathers Walworth, Hecker, Deshon, and later, Baker. Baker was received into the Catholic Church by Father Hewit in presence of Father Hecker, April 9, 1853, in the city of Baltimore. He was ordained to the priesthood September 21, 1856. The life of a Redemptorist and likewise of a Paulist missionary is depicted in Father Hewit's "Memoir of Father Baker." It is now a familiar story of how the five American Redemptorists, Hewit, Walworth, Baker, and Deshon, under the leadership of Hecker, sought a plan for founding an English-speaking Redemptorist house; and how there arose differences with their Superiors. A summary of their separation from the Redemptorists is given in an admirable chapter of the biography of Father Hecker, written by Father Elliott. It is needless to go into detail. This much is merely intimated to aver that Hewit played an honorable and efficient part in the founding of the new community. Hecker arrived in Rome August 26, 1857, on his errand to the General of the Congregation of the Most Holy Redeemer. On August 29 he was expelled from his community, and on December of the same year he had his first audience with Pius IX. In the following year, March 6, by a decree of the Congregation of Bishops and Regulars, Hecker and his brethren were dispensed from their vows. In 1859, June 19, the corner-stone of the Paulist house was laid. During all this crisis Father Hecker had the undeniable moral support of Father Hewit, and in every detail of the procedure they were of one mind, as were Walworth, Deshon and Baker. From that day to this amicable relations have ever existed between the Congregation of the Most Holy Redeemer and the Congregation of Saint Paul.

Father Hewit's Paulist life begins with the approval of the Paulist Rule by Archbishop Hughes, July 7, 1858. The Rev. Walter Elliott, C. S. P., has put in print this statement that Father Hewit "was destined to be more to Father Hecker than any other man." This, to the Paulists, was the most providential aspect in Father Hecker's life. Hecker never printed anything without consultation and espe-

cially with Father Hewit. Almost every thought that Hecker placed on paper was not merely the long and careful result of consultation but the effect likewise of interior contemplation, of incessant prayer. It was the natural outcome of the intuitive science of the mystic. There was at times no need to consult the books except to find the consecrated forms from which to clothe his thought and thus save it from misinterpretation. Then it was that Hewit's wide reading and familiarity with the ancient fountains of knowledge and with definitions of the schools and the time-honored scholastic terminology became of immense service to him.

The trust and sense of security manifested by the American Episcopate in relationship with Father Hewit were providential helps in the foundation of the Paulist Congregation. If in his early life his conservatism was unjustifiable it was always fortunate. Latterly he mellowed out and in his search for the true and the right he saw that to accept the new was in many cases but to safeguard the old. He believed and he said publicly and privately that measured by the mind of the Catholic Church, Hecker was undoubtedly endowed with spiritual gifts far beyond the ordinary. He believed absolutely that the consecration of the voluntary principle was the reason of the religious existence of the Paulist community. From the beginning to the day of his death, July 3, 1897, he worked faithfully for it. He was a missionary, lecturer, professor, spiritual director, and Superior General. He wrote valuable books, magazine articles, and reviews. He held converse with the learned and holy, like Orestes Brownson and Bayma the Jesuit. He knew philosophy well and he was wise enough to show that he was ignorant of that modern revelation of philosophy—experimental psychology. He confessed likewise that modern sociology in the department of ethics, although utterly uncongenial to his mind and temperament, was nevertheless of immense worth to science. He knew history, dogma, and ascetic theology. He seems to have had no extraordinary interior experience, but he was holy and he knew how to guide others and to interpret the masters of spiritual literature, as is evident from his book, "Light in Darkness." He never pretended to anything original in what he wrote or lectured; his ambition was but to popularize truths long since hidden from the world. His reading was extensive. Being conversant with at least seven languages, he could at will and with facility betake himself to the original sources of many subjects of knowledge. In a word, his was a dignified, consistent and more than ordinary career both as priest and scholar. May the fair memory of him never go out of the hearts, not only of his own, but of others, for he was a benignant and wise father among many sons.

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THE TREATY BETWEEN THE HOLY SEE AND FRANCE
KNOWN AS THE CONCORDAT OF 1801, SINCE
IN FORCE.

1. *Les Quatre Concordats, suivis de considérations sur le gouvernement de l'église en général, et sur l'église de France en particulier, depuis 1515.*

Par M. De Pratt, ancien Archevêque de Malines. Octavo, tomes 1, 2, 3. Paris, 1818, chez F. Béchet, quai des Augustins, No. 57.

2. *L'Eglise Romaine Et Les Négociations Du Concordat 1801-1814; i., Mémoires de Consalvi; ii., Papiers inédits. Par le Comte O. D'Haussonville. Revue des Deux Mondes, Mai 1865, pp. 197-233, et seq.*

IN the nominal Republic of France, the thirty-four millions of Catholics who comprise the best elements of her total population, as well as of her social composition; who possess the greater part of her aggregate wealth; who control the commercial, the industrial, and the proprietary interests of her landed domain; which, combined, gives stability to this great nation; are supinely submitting to the infringement of their religious rights and to their privilege to educate their children in the manner they deem best for their future spiritual and social welfare.

This we claim to be the aspect of the present situation, viewed from an American standpoint!

The so called Republic of France of late years, has been ruled by an infidel combination, delegated to legislative power, not by the people of the nation at large, who have been shamefully negligent in exercising the right of suffrage for the nation's welfare; but by the representatives of a small minority compactly organized; whose delegates have been the elect of the masonic lodges, which have eliminated the name of God from their convocations; of the organized anarchical, communistic, as well as of other infidel associations existing in Paris, and also in all the manufacturing cities and communities of France; whose political power has been maintained and potently directed by the compact organizations by which they are controlled.

The late high handed campaign against the teaching orders of the Catholic Church, resulting in the forcible dispersion of children and youth attending Catholic schools, is in evidence; while the decree passed on March 24th in the French Legislative Assembly, banishing the members of the religious orders remaining, from France; completes the official outrages inflicted by this infidel government upon the freedom of the religion professed by the great majority of the people of the French nation.

The government victory may have one good effect, by opening the eyes of the bourgeois classes as well as of the indifferent rural populations, and also of the landed gentry, to the fact that their manhood as well as their rights are in danger of being temporarily eclipsed by

the irreligious elements combined in the existing rulership of France. Its consequences bode no good to the present government.

Moreover, these events, deplorable as they may appear to American Catholics, may in their sequel prove providential, by the severing of the bond which for a century or more has officially connected the Church of Rome with the government of France.

The relations of France with the Holy See, from the time of Francis I., in the sixteenth century down to the period of the French Revolution, when religion was ostensibly wiped out, had been regulated by what is termed a *concordat*.

This was an agreement entered into between the Holy See and Francis 1st King of France in 1515, by which the religious affairs of that kingdom were regulated in accordance with the wishes of the reigning Pope Leo X. and his successors. It is known in history as the *concordat of Francis 1st*.

Its acceptance by the respective parliaments of France in 1516-1517, which may be said to have been forced by the persistent efforts of the young monarch, was the virtual abolition of the Pragmatic Sanction. It was not accomplished without scenes of great excitement and against the protests of the most eminent ecclesiastics, as well as of the most renowned of the legists and of the statesmen of France.

The prologue of the announcement by the King of France of the adoption of the *concordat of 1515* reads as follows:

Concordat between our Holy Father Pope Leo X., and the most Christian King Francis, first of the name.

Francis by the grace of God, King of France, Duke of Milan, Count of Ast and Lord of Genoa, to all who shall read these presents, greeting:

In late years, during the lifetime of King Louis, our father-in-law, of honorable memory, of whose soul may the Lord have in his mercy; the council of Lateran cited this prince several times to its assembly and with him the sovereign courts of the kingdom, which we name parliaments, and besides the Universal Gallican Church and that of our kingdom of Dauphiny; and made known to them, that if they could bring some ancient authority, cite the laws, give some acceptable reasons to prevent by the authority and the sentence of the said council the abolition of the Pragmatic Sanction, abrogated, broken, judged vain, null and schismatical; before the day fixed for the said decrees, then judgment would be rendered accordingly. It was then by the Divine mercy we succeeded to the crown and ascended the throne.

Similar edicts emanating from the same authority were communicated to us, also to our parliaments, to the Gallican church and to all our subjects. By a later edict, peremptory for the cause, all hope to justify our further delay was removed; so that in case we had intended to defer the issue, we should necessarily experience the same evils which befel our kingdom and Dauphiny before the promulgation of the said Pragmatic Sanction. Reflecting upon the shameful disorders prevailing in our domain before this promulgation, when our wealth, which is the strength of empires, had been exhausted thereby, when prelates and priests found themselves deprived of the faculty and the liberty to confer benefices, while a great number of foreigners obtained the priesthood of France; while by apostolic diplomas called expectatives, generally and especially of benefices elective of living occupants of various holdings, were conferred rights of succession available on the demise of such occupants; a practice which was immoral as tending to encourage the wish for the death of others.

Finally contests for these benefices were judged at the Court of Rome and decided against our subjects by default, for it was generally inconvenient, if not impossible, that they could give the time and undergo the expense of personal appearance; in consequence they lost their rights, abandoned their contests, or were obliged to consider them as abandoned. To these were added other annoyances; studious men versed in the liberal arts could not embrace the sacerdotal state, or if they could, they were obliged to renounce the study of letters and to go from city to city, so that as a consequence we were apparently menaced with the loss of the love of letters and the pursuit of scientific study.

Believing it to be our duty to exert every effort to save our kingdom from such misfortunes as were impending, we have deemed it proper to *yield to circumstances, consult our interests according to the occasion, and exchange the evils which threaten us for those of less importance!*

Having come to Bologna with all our court (*suite*) to pay homage to our most Holy Father Leo X., Sovereign Pontiff, homage which we know to have been rendered by the Kings of France, our ancestors and by the first and most illustrious sons of the Church, we have demanded with prayers *that he shall absolutely abolish the Pragmatic name, while in its place, with his permission and that of his council, we may seek and invent such laws and conditions, which in its place shall serve as the rules of our Kingdom.*

Yielding to our supplication, his Holiness, for he has also at heart the good order and the good administration of the church in our Kingdom, has permitted us without delay to consider and compose such agreements which as for our Kingdom may take the place of the Pragmatic; which confirmed by the consent and authority of the council, with an annulling decree, obtains full force.

The study of this research, his Holiness and ourself have confided to men of great prudence, and these agreements being thus made and confirmed, will nullify the greater part of the pragmatical articles, such for instance as those of the reservation in particular of the bestowal of benefices, legal proceedings, frustrative appeals, the annulation of the ordinances of Clement, which are called *lettres, de la libre et tranquille possession des concubines*, and others which these agreements have either changed or abrogated; unless it may be some interpretations, or some changes which we have deemed proper to make in the interest of public welfare.

As to what concerns elections, *we could not obtain the concessions we desired for the reasons detailed at length in the said agreement.*

Having obtained from his Holiness a delay of six months to complete all, and having consulted upon this subject with men of great knowledge, learned and familiar with public affairs, to obtain their advice, and because of the difficulties of the times, and that the necessity of circumstances influenced our decision, we have decided that the said agreements shall be promulgated in our Kingdom of France and Dauphiny to replace entirely the *Pragmatique*.³

It would appear that the young monarch had been governed in these premises by the advice of the highest religious authorities in his Kingdom.

This *concordat* of 1515, virtually established the union of Church and State in France. The King nominated the Bishops; the Holy See, unless there was impediment, sent the bulls within the six months allowed for investigation, and the prelate was consecrated.

An era of comparative tranquillity in the religious affairs of France ensued; while the relations of the Church in France with the See of Rome, remained cordial, until during the later years of the reign of Louis XIV., when serious trouble arose between this great monarch and the Holy See; this trouble was such that Rome, insisting upon her prerogatives, refused the bulls for the nominations of Bishops to French sees during eleven years. During this long period thirty-five Cathedrals in France were deprived of Bishops, causing great

³ *Les Quatre Concordats. Celui de 1515. Tome I.*, pp. 244-248. Translation.

confusion in the religious affairs of France, which was ended by the submission of the monarch.⁴

It was claimed by the advocates of the Pragmatic Sanction that during its supremacy no such disorders in the Church in France occurred. Prelates-elect were consecrated and installed by the Metropolitan and his suffragans without regard to the relations existing with the temporal ruler.

The French Revolution succeeded during the last decades of the eighteenth century. In its vortex perished King Louis XVI., the royal family, the members of the nobility, of heredity and of the robe, as well as the members of the families of the two latter celebrities, without regard to age or sex; all meeting death with the fortitude of martyrs.

The brilliant leaders of the contending revolutionary sections, one after the other, heroically passed to eternity by the descending knife blade of the guillotine; thus ending careers not outrivaled in ancient or modern history. It was a reign of carnage. The religious fabric of France with its temples, its colleges, its seminaries, convents and monasteries, were wiped out of existence; while four billions of francs, comprising the religious, the educational and the charitable foundations, which had been accumulating during previous centuries, were sequestered, diverted from their pious and benevolently intended uses, and converted into the national wealth. France was widowed of her hierarchy, while 40,000 priests, mostly pastors, were separated from their flocks. Then ensued the initial period of the Republic of France, whose obliteration was sought by the existing monarchical powers of Europe by their combined armies.

France organized her defensive legions. The republican soldiers, shabbily clothed, some without shoes, and poorly equipped, were enrolled in regiments and brigades; they presented a sorry appearance, but they were officered by young men of genius, and the army thus constituted, marched to the defense of the frontiers.

Among the young republican officers was Napoleon Bonaparte.

⁴ Pourquoi, comment, et quand les bulles Sont refusées. L'institution canonique est soumise à des formes régulières, observés avec beaucoup d'exactitude. Les informations sur la personne et sur l'église à laquelle elle est proposée, sont également réglées par des lois fixes. Le jugement du Pape ne tombe que sur les formes de la nomination, et les qualités extérieures de l'élu, telles que l'âge, la naissance. La nomination du prince (ruler) sert de garantie et de témoignage pour la capacité morale. C'est ce qui explique comment les bulles ont été accordées quelquefois à des hommes dont la conduite n'a pas correspondu à l'honneur de leur état. Un refus de bulles n'aurait pu avoir lieu que dans des cas d'une gravité et d'une notoriété telles que la conscience et l'honneur du Pape lui en eussent fait la loi. *Les Quatres Concordats* par M. Depradt, ancien Archêveque de Malines. Tome I., pp. 320-321.

The frontiers of France were invaded by the respective armies of the empires and kingdoms of Europe.

The allied troops were finely equipped and uniformed; their commissariat was first class, while their cavalry was numerous and well mounted, and their artillery was the finest and most scientifically officered in the world. The French frontiers, as stated, were invaded and occupied by the enemy, but this was as far as they could maintain a foothold on French soil. They were repeatedly defeated and finally forced to abandon the attempt to overcome the Republic.

The French armies became the aggressors and the victors and soon won the respect of the powers opposing the French Republic.

In the meantime the consulary system had, in 1799, become a feature in the government of France, with Napoleon Bonaparte as First Consul, who gradually obtained almost absolute control and became the ruler of the French Republic. He found much to reconstruct, but he established the *Code Napoleon*, which became the law of France and is in general use elsewhere after a century of existence. The young ruler soon saw the necessity for the restoration of religion to the people of France, who had been deprived of an organized church for more than two decades. He was not a man of strong religious proclivities, but he saw the personal advantages which would result, by this restoration, and by the creation of a French hierarchy and priesthood, sanctioned by the Holy See, which he hoped to control to advantage.

He accomplished these objects by negotiating the formation of a commission, whose sessions were held under his auspice in Paris, and from whose deliberations resulted the *concordat* of 1801, between the Holy See and the Republic of France, which has remained in force until the present day.

The official document translated reads as follows:

THE CONCORDAT OF 1801:

Between the Holy See and Napoleon, First Consul of the Republic of France; translated from the text as given by the Abbé de Pradt, in his *Quatre Concordats*. Tome 2, pp. 102 *et seq.*

The Government of the Republic acknowledges that the Roman Catholic and Apostolic Religion is professed by the great majority of the people of France.

His Holiness, in view of the absence of the rites of this religion, feels that its restoration at this time with its great ceremonies, under the auspices of the Consuls of the Republic, will be generally accepted and result to the welfare of the people.

In consequence; in view of these considerations, mutually admitted, alike for the good of religion and of interior tranquillity:

IT IS AGREED:

Article 1. The Roman Catholic and Apostolic Religions shall be freely exercised in France. Its worship shall be free in conformity with such regulations of the police as the Government may deem necessary for public tranquillity.

Article 2. The Holy See in concert with the Government will arrange a new hierarchical fabric for France.

Article 3. His Holiness declares to the titulars of the dioceses of France, that he awaits with firm confidence their acquiescence, and that in the

interests of the welfare, the peace, and the unity of religion, they will make every sacrifice, even to the relinquishment of their sees. After this exhortation, if they refuse this sacrifice, (refusal, however, which His Holiness does not expect), there will be provided new titulars for the government of dioceses as shall be arranged in the following manner:

Article 4. The First Consul of the Republic, during the three months following the publication of the bull of His Holiness, will nominate the Archbishops and Bishops for the newly created sees. His Holiness will confer the canonical institution, according to the forms existing in relation to France, before the change of government.

Article 5. Nominations to sees which may subsequently become vacant, shall also be made by the First Consul; and canonical institution shall be conferred by the Holy See in conformity with the preceding article.

Article 6. The prelates before assuming their functions, shall render direct, to the First Consul, the oath of fidelity customary in times prior to the change of government, in the following terms:

I swear and promise before God upon the holy gospels to render obedience and fidelity to the government established by the constitution of the French Republic. I promise also to have no understanding, to assist at no council, nor to join any league, either within or without, which may be contrary to public tranquility; and if in my jurisdiction it may come to my knowledge that evil designs are meditated to the prejudice of the State, I shall make the same known to the government.

Article 7. Ecclesiastics of the second order shall render a similar oath to the civil authorities designated by the government.

Article 8. The following form of prayer shall be recited at the close of the Divine offices in all the Catholic churches in France:

"Domine, salvam fac rempublicam. Domine, salvos fac consules."

Article 9. The Bishops shall rearrange the circumscription of the parishes of their sees, which shall take effect when ratified by the government.

Article 10. The Bishops shall nominate the *curés*. Their selections must be of such persons only as shall be acceptable to the government.

Article 11. The Bishops may create chapters in their cathedrals and a seminary for their dioceses, without government assistance: (*Sans que le gouvernement s'oblige à les dater.*)

Article 12. All metropolitan churches, cathedrals, parochial residences or other buildings for religious use, which have not been confiscated, shall be placed at the disposition of the Bishops.

Article 13. His Holiness, for the peace, welfare and happy reestablishment of the Catholic Religion, declares that neither He, nor His successors, shall molest in any way the purchasers of confiscated church property (*les acquéreurs des biens ecclésiastique alienés*), and consequently, the possession, and titles to such property and the revenues appertaining thereto, shall remain incommutable in those having juridical titles thereto.

Article 14. The Government assures a proper salary to the Bishops and pastors whose dioceses and parishes shall be included within the rearrangement.

Article 15. The Government will also arrange, that liberal French Catholics may make beneficial foundations in favor of churches.

Article 16. His Holiness acknowledges and concedes to the First Consul of the Republic of France, the same rights and prerogatives exercised by the old Government in its relations with the Holy See.

Article 17. It is mutually agreed between the contracting parties, that in case any of the successors of the present First Consul should not be a Catholic, the rights and prerogatives named in the preceding articles, as well as the nomination of Bishops, shall be regulated, in so far as he may be concerned, by a new convention.

The ratification of these agreements shall be made at Paris within forty days. Paris, the 26, *Messidor*, the ninth year of the Republic of France.

ORGANIC ARTICLES.

Article 1. No bull, brief, rescript, decree, mandate, provision, signature of provision, nor other documents emanating from the Court of Rome, including those relating to personalities; shall be received, printed or otherwise published or circulated, unless authorized by the Government.

Article 2. No individual under the titles of nuncio, legate, vicar or commissary apostolic, or acting under any other title of similar functions, shall, without the same government authorization, exercise on French soil or elsewhere, any function relating to the affairs of the Gallican Church.

Article 3. The decrees of synods outside France, as also those of general councils, shall not be published in France until their scope has been examined by the government, in what relates to the laws, rights and franchises of the French Republic and of which their publication might affect public tranquility.

Article 4. No national or metropolitan council; no diocesan synod, no deliberative assembly, shall be held without the express permission of the Government.

Article 5. All ecclesiastical functions shall be gratuitous, except such obligations as may be authorized and fixed by regulation.

Article 6. Appeal may be taken to the Council of State in all cases of abuse on the part of superiors and other ecclesiastical persons. Cases of abuse are the usurpation or excess of authority; contravention of the laws and regulations of the Republic; infraction of the rules established by the canons received in France; attempts against the liberties, franchises and customs of the Gallican Church; or any proceeding in the exercise of religious functions, which may compromise the honor of citizens, arbitrarily disturb their consciences, or lower them by oppression or injury or public scandal.

Article 7. Appeal may also be taken before the Council of State of interference with the free exercise of religion, which the laws and regulations guarantee to her ministers.

Article 8. Appeal is competent to all interested, but in default of individual action, it shall be exercised officially by the prefects. The public functionary, ecclesiastic, or the person interested in such appeal, shall address to the Councillor of State charged with the supervision of religious affairs, a detailed statement over his signature, which shall be given immediate attention, which, with the evidence submitted in his report, shall be proceeded with in administrative form, or referred according to the exigency of the case, to the competent authority.

SECTION FIRST.

GENERAL ARRANGEMENTS.

Article 9. The Catholic religion shall be exercised under direction of the Archbishops and Bishops in their dioceses, and under that of the pastors (*curés*) in their parishes.

Article 10. All privileges conferring exemption from episcopal jurisdiction are abolished.

Article 11. Archbishops and Bishops may, with government sanction, establish in their dioceses cathedral chapters and séminaries; all other ecclesiastical establishments are suppressed.

Article 12. Archbishops and Bishops may add to their names the title of citizen or of *monsieur*. All other qualifications are interdicted.

SECTION 2.

ARCHBISHOPS OR METROPOLITANS.

Article 13. The Archbishops shall consecrate and install their suffragans. In case of impediment or refusal on their part, the oldest bishop in the metropolitan jurisdiction shall perform this ceremony.

Article 14. They shall watch over the maintenance of the faith and of discipline in the dioceses under their metropolitan jurisdiction.

Article 15. They shall take cognizance of reclamations and complaints against the conduct and decisions of their suffragans.

SECTION 3.

BISHOPS, VICAR GENERALS AND SEMINARIANS.

Article 16. Bishops cannot be nominated for sees unless 30 years of age and of French origin.

Article 17. Before forwarding the *acte* of nomination the candidate proposed, is obliged to furnish an attestation of proper deportment and of correct life, made by the Bishop of the diocese in which he had officiated as ecclesiastic. Nominees shall be examined as to their doctrinal capacity and belief before a Bishop and two priests to be named by the First Consul. The result of their examination shall be submitted to the Councillor of State in charge of religious affairs.

Article 18. The priest nominated by the First Consul shall diligently persevere in obtaining the canonical institution of the Holy Father. He shall not perform episcopal functions until the bull of his institution shall have been received and officially certified by the government, and until he has personally made and subscribed to the oath prescribed by the convention made between the Holy See and the Government of France.

This oath shall be made to the First Consul and a *procès verbal* shall be drawn thereof by the Secretary of State.

Article 19. Bishops shall nominate and install pastors (*curés*) and publish their nomination. But he shall not confer upon them canonical institution before their nomination has been sanctioned by the First Consul.

Article 20. Bishops shall reside in their respective dioceses; they cannot absent themselves therefrom without the permission of the First Consul.

Article 21. Each Bishop may nominate two Vicar Generals, and each Archbishop may nominate three; they shall be selected from among the priests having the qualifications requisite for the episcopacy.

Article 22. They shall visit in person each year a portion of their diocese and within five years its entire extent. In case of legitimate impediment the visits may be made by a Vicar General.

Article 23. Those selected for teaching in seminaries, shall subscribe to the declaration made by the clergy of France, in 1682, and published by an edict in the same year. They shall agree to teach the doctrines contained therein; and the Bishops shall send the form of this submission to the Councillor of State in charge of all religious affairs.

Article 24. The Bishops shall report annually to this Councillor of State the names of students in the seminaries intended for the priesthood.

Article 25. They shall ordain no priest who may not be the recipient of an annual and fixed income of 300 francs, who has attained the age of 25 years, and possessed of the qualifications prescribed by the canons recognized in France. The Bishops shall confer no ordinations until their number shall have been submitted to and accepted by the government.

SECTION 4.

PASTORS (CURÉS).

Pastors cannot assume their functions until they have placed in the hands of the prefect, the oath prescribed by the agreement made between the Holy See and the government.

A *procès verbal* shall be drawn up of this *prestation* by the secretary general of the prefecture and duplicate copies delivered.

They shall be installed by the pastor or by the priest designated by the Bishop. They are required to reside in their respective parishes. Pastors (curés), in the exercise of their functions are under the rule of their Bishops.

Assistant priests (*vicaires*) shall exercise their ministry under the supervision of the pastors. They shall be approved by the Bishop and subject to removal by him.

No foreigner can be employed in religious functions, without permission of the government. Functions are forbidden to any ecclesiastic unconnected with a diocese.

A priest cannot leave his diocese to function in another without permission from the Bishop.

SECTION 5.

CATHEDRAL CHAPTERS AND THE GOVERNMENT OF DIOCESES DURING THE VACANCY OF THE SEE.

Archbishops and Bishops, under the faculty given them to create chapters, cannot exercise this function without obtaining the authorization of the government; not only for the establishment proposed, but as to the number and selection of the ecclesiastics intended therefor.

During the vacancy of sees, the metropolitan shall rule; and in his place in case of need, the oldest of his suffragans.

The Vicars General of such dioceses, shall continue to function after the death of the Bishop, to the installation of his successor.

The metropolitans, the cathedral chapters, are required to advise the government without delay when sees become vacant.

Vicar Generals in charge of vacant sees, as well as the Metropolitans and chapters shall sanction no innovation in the usages and customs of these dioceses.

TITLE 3.

DIVINE WORSHIP.

There shall be but one liturgy for all the Catholic churches of France.

No pastor shall authorize special public prayers in his parochial church, unless authorized by his Bishop.

No feast, with the exception of Sunday, shall be established without government permission.

Ecclesiastics during religious ceremonies, may wear the vestments appropriate to their rank; but in no case shall they make use of the episcopal color.

No religious ceremony shall be held outside of Catholic churches in cities where there are churches of other denominations. Nor no church can be used for different creeds. All ecclesiastics shall wear the French costume, and in black. Bishops may add to this dress the pectoral cross and purple hose.

There shall be set apart in the cathedrals and parish churches, a prominent place for such Catholics as hold civil or military positions of distinction.

The Bishop shall arrange with the prefect the manner in which the faithful may be attracted to Divine service by the tolling of bells. Bells cannot be rung for any other purpose without the permission of the local police authorities.

When the government ordains public prayers, the Bishops shall arrange with the prefect and the military commandant, as to the day, the hour, and the manner of observing such ordinances.

1. The preaching of sermons on solemn occasions, and those peculiar to the seasons of Advent and Lent, must be by priests who have been specially authorized by the Bishops therefor.

2. The pastors at the parochial masses shall pray for the welfare of the French Republic, and for the Consuls.

3. No inculpation direct or indirect shall be permitted against the non-Catholic creeds authorized by the State.

4. No announcement shall be made in sermons foreign to the exercise of religion in Catholic churches unless authorized by the government.

The nuptial benediction shall not be bestowed unless proof shall be made of the performance of civil marriage according to law.

Parochial registers shall record only the administration of the sacraments. In no case shall they be made supplementary to the civil registers, which, according to law, records the status of the people of France.

All the *actes* ecclesiastical and religious must ensue according to the equinoctial calendar established by the laws of the Republic.

The days shall be designated by the names given in the calendars of the solstices.

Sundays shall be days of rest for public functionaries.

CIRCUMSCRIPTION OF THE ARCHDIOCESES AND DIOCESES.

SECTION 1.

There shall be in France 10 Archbishops or Metropolitans and 50 Bishops.

The circumscription of the Archdioceses and of the dioceses, shall be arranged according to the following table:

SECTION 2.

THE CIRCUMSCRIPTION OF PARISHES.

There shall be at least one parish in each judicial circuit.

Succursal chapels may be established where necessary.

Each Bishop shall in concert with the prefect, regulate the number and extent of succursal chapels; the plans of this arrangement shall be submitted to the government, but no action can be taken until officially authorized.

No portion of the territory of France shall be erected into parochial territory, without the express authorization of the government.

The priests serving succursal chapels shall be chosen by the Bishops.

SECTION 3.

SALARIES OF MINISTERS.

The salary of Archbishops shall be 15,000 francs.⁵ The salary of Bishops shall be 10,000 francs. *Curés* or parish priests shall be of two classes.

Those of the first class shall receive 1,500 francs. Those of the second class, 1,000 francs. The *Conseils généraux* of large districts may, from their local incomes or from their taxes, augment these salaries in cases deemed advisable. The allowances granted by the laws of the Constituent Assembly, shall be deducted from the above named salaries.

The *vicaires* or assistant priests shall be selected from among the priests pensioned in pursuance of the laws of the Constituent Assembly.

The amount of these pensions and the product of their oblations (for intentions, etc.) shall constitute their salaries.

The Bishops shall draw up a scale of the stipends or oblations which priests may be authorized to receive for the administration of the sacraments.

But the form of such regulations as may be arranged by Bishops, may not be published or otherwise carried into effect until after the approval of the government.

Each ecclesiastic in receipt of a pension from the state, may be deprived

⁵ See the "Financial Relations of Church and State in France," by R. R. Elliott, AMERICAN CATHOLIC QUARTERLY REVIEW. Vol. XVI., No. 61., 1891, pp. 187-199.

thereof, if, without legitimate cause he declines the function to which he may be assigned.

The Councils General of departments are obliged to provide suitable residences for Archbishops and Bishops.

Pastoral residences (*presbytères*) with their surroundings which may not have been confiscated, shall be restored to the *curés*, or pastors and to the priests officiating in the succursal chapels. When these are not available, the Councils General of the communes are authorized to provide suitable residences and grounds.

Endowments intended for the support of priests in the exercise of religion must consist of Government bonds. (*Rentes*)

They may be accepted by the diocesan, Archbishop or Bishop, but they cannot be executed unless authorized by the Government.

Landed property (*immeubles*) other than edifices for pastoral uses and adjoining grounds or gardens, may not be considered as ecclesiastical estate, nor controlled as such by religious functionaries.

SECTION 4.

EDIFICES INTENDED FOR RELIGIOUS USE.

Edifices formerly intended for Catholic religious use, but now under national control, such as a parochial edifice, or a succursal chapel, shall be placed at the disposition of the Bishops by a decree of the *préfét* of the department. A duplicate of such decree shall be sent to the Councillor of State.

Then shall be established organizations, *fabriques* (in dioceses), to supervise the care of churches and the administration of charity.

This is the *concordat* according to the text given by the Abbé de Pradt.⁶

The negotiating parties in the framing of the *concordat* of 1801

⁶ The Abbé De Pradt, who was formerly Bishop of Poitiers, was in 1803 nominated by Napoleon, Archbishop of Mechlin in Belgium, at the time under French control.

As there was no reason to doubt that he would be canonically instituted by Rome, Bishop De Pradt resigned in due form the see of Poitiers.

The bull of his appointment as Archbishop was in due course issued by the Holy See, with, however, the name of the appointing power omitted, and forwarded to the Minister of religious affairs at Paris, who retained the bull for reference to Napoleon, as he deemed its wording defective, on account of the omission referred to above. But Napoleon at the time was absorbed in his preparations for his invasion of Russia and could not give attention to religious appointments. The Abbé De Pradt, by the events ensuing after the fall of Napoleon, never succeeded to the archiepiscopal mitre; he remained simply Abbé De Pradt. In the meantime he was appointed by Napoleon Ambassador of France to the grand-ducal court of Warsaw. After the return of the Bourbons he devoted himself entirely to literary work.

The published works of the Abbé De Pradt are in part as follows. They are in octavo:

De la culture en France. Paris, 1802.

Congrès de Vienne, Paris, 1815. Tomes 2.

Histoire de l'ambassade dans la grand duché de Varsovie en 1812. Tome I. Paris, 1816.

Des colonies et de la révolution actuel en Sud Amerique, etc. Tomes 4. Paris, 1816.

Antidote au Congrès de Rastadt. Tome 1. 1816.

Pièces relatives à Saint-Domingo. Tome 1. 1817.

Mélanges sur l'Ordre constitutionnel, etc. 1817.

Les Quatre Concordats. Tomes 3. Paris, 1818.

Parallèle de la puissance Anglais et la Russie relativement à l'Europe. Tome 1. 1823.

L'Europe et l'Amérique en 1821. Tome 1. 1823.

were, the First Consul of the French Republic, Napoleon Bonaparte, and Cardinal Hercule Consalvi, Secretary of State of Pius VII., as the representative of the Holy See, who came to Paris as the papal delegate.

The *pourparlers* were held in Paris.

Napoleon at the time of the accession of Pius VII. had again become the conqueror of Italy. June 5, 1800, before leaving Milan at the head of the French army to give battle to the Austrians under Mélas, he addressed the following allocution to the religious authorities of the latter city:

"I desired to see you all assembled here that I might have the satisfaction to communicate to you my sentiments regarding the Catholic Apostolic and Roman religion. Persuaded that this religion alone can give true happiness to a well-organized community, and strengthen the foundation of a government, I assure you that I shall endeavor to protect it at all times and by every means.

"I regard you as my dear friends; I declare that I shall consider as a disturber of the public peace and enemy of the common welfare, and that I shall punish in the most vigorous and public manner, and if necessary by the death penalty, whosoever shall offer the slightest insult to our common religion, or outrage toward your sacred persons.

"My intention is that the Christian religion, Catholic and Roman, shall be preserved in its entirety; that it shall be publicly exercised fully and completely, and extensively, as also inviolable as it was at the epoch when for the first time I entered these happy regions.

"All the disciplinary changes since made were against my inclinations and judgment.

"Simply the agent of a government who had no regard for the Catholic religion, I could not prevent the disorders encouraged with a design for its destruction. Now that I am clothed with full power, I am determined to make use of every known method to assure and to maintain this religion.

"France, taught by her misfortunes, has finally opened her eyes; she recognizes that the Catholic religion only can prevent disorders and save her from storms, she has recalled her to herself.

"I cannot deny that I have greatly contributed toward this grand result.

"I declare to you that the churches in France have been reopened; that the Catholic religion has resumed its former position and that the people regard with respect the venerable pastors who return to their abandoned flocks, filled with zeal.

"When I shall have audience with the new Pope,⁷ I hope to have the happiness to remove whatever obstacle which may be opposed to the complete reconciliation of France with the head of the Church.

"I shall approve every method which shall make public the principles I maintain, to the end, that they may be understood not only in Italy and in France, but throughout Europe."

One can imagine, remarks the Count de Haussonville, the effect of such words emanating from the lips of one more accustomed to the delivery of brief orders to brave officers upon fields of battle, on the apprehensive priests in their sacristies. The impression created was as immense as the orator himself could wish.⁸

In pursuance of such decided expressions, Napoleon on returning from his brilliant campaign against the Austrian army, ending with his decisive victory over Mélas, escorted by his distinguished staff, repaired to the Cathedral of Milan to witness the blessing of his vic-

⁷ Pius VII.

⁸ Correspondence of the Emperor Napoleon I., Vol. VI., pp. 339, 340, 341, as quoted by D'Haussonville, in *Revue des Deux Mondes*, May, 1865, p. 207.

torious standards, without a thought—as he remarked—as to what the atheists of Paris might think.

“Doubtless,” writes the Count de Haussouville, “in rendering this homage to the Catholic religion it was more to create effect in France than in Italy. As his active imagination preceded the present, his mind was not satisfied with daily occurrences in the accomplishments of his well designed projects. These had their culmination in the future, to accomplish which every obstacle was overcome by methods calculated in advance and never deviated from, whose purpose was personal aggrandisement always!”

The allocution addressed to the clergy of Milan eight days before the great victory won at Marengo over the Austrians, was printed and circulated in great profusion throughout all parts of Piedmont and Lombardy.

It is more than possible that some copies found their way to Rome.

Notwithstanding the agreeable remarks expressed in relation to the new Pontiff, the First Consul had made no overtures in that direction. After the conclusion of the armistice which gave him control of all northern Italy he went a step farther.

Cardinal Martiniana, with whom he had conferred at Vercceil, was instructed to communicate to the Holy Father, that the commander of the French army desired to negotiate for the settlement of the religious affairs of France, and in this direction, he asked that Pius VII. would send to Turin Archbishop Spina, whom he had previously known.

“The Pope,” writes Consalvi, “who had deferred action, confiding in Providence, and resigned to eventualities; had not attempted to penetrate the intentions of the conqueror.” Having received with surprise and pleasure this unexpected communication, did not hesitate to respond to a demand which had for its object the reëstablishment of religious affairs in France, in which nation the revolutionary spirit had nearly crushed out Christianity; Monseigneur Spina, with instructions to confer and report, was sent to Turin. But Napoleon was no longer there; he had remained but a day and departed by the route of Mont Cenis. Instead of the First Consul, the Archbishop found instructions to proceed immediately to Paris where his presence was awaited. This, under the circumstances, was considered an order.

Cardinal Consalvi had reasons to suspect that the First Consul had had no intention to meet Monseigneur Spina at Turin. But the incident itself was looked upon favorably.

But on the other hand, what a triumph, and what a support for his secret designs, that he could show to the surprised Parisians an envoy of Pope Pius VII. among the numerous assemblages of those

at the Tuilleries soliciting the honor of considering the great affairs of the period.

Napoleon had originated this Italian *ruse*; the Court of Rome understood it as such, and coöperated, because it was its interest to do so; but took the precautionary measure of sending the wise theologian Father Caselli as the companion of Monseigneur Spina.⁹ But Napoleon had reserved for himself the part of sole negotiator, not even making use of the minister of foreign affairs, Prince de Talleyrand, whom he suspected would be inimical to the Church he had forsaken; for form sake, he made as his colleagues, Messieurs Portallis, Cretet, Bigot de Préamenu and the Abbé Bernier, subsequently Bishop of Orleans, who, as *Curé* of Saint-Laud had rendered important services in the pacification of the rebellious peasants in western France. In the meantime M. Cacault, fortunately for the interests of religion, was sent to Rome, as envoy of France to that court. Napoleon's final instructions to this gentleman was, "never to forget to consider the Pope as having 200,000 men at his orders.

M. Cacault venerated the Holy Father, and was the admirer and friend of Cardinal Consalvi. The *pourparlers* at Paris proceeded too slow to satisfy the impatience of the First Consul; the propositions drawn up by Bernier and submitted to Rome had been rejected as inadmissible in the interests of religion by the Holy See. Finally a peremptory order from Napoleon was sent to M. Cacault to leave Rome, if within five days the *concordat* projected at Paris was not accepted by the Pope. The minister of France was at the same time instructed to notify the Holy Father that a longer persistence in such dilatory methods would result in deplorable consequences, *not only for religion but for temporal domination*. To add effect to this last menace, instructions to M. Cacault required him to go to Florence to the headquarters of General Murat, commander in chief of the army of Italy.

The effect upon the papal court upon the reception of these drastic communications may be imagined. The explosion of a bomb in the sanctuary would not have caused more alarm to Pius VII. He had believed he was on the eve of peace, when all of a sudden he beheld war with all its horrors.¹⁰

The news found its way to the revolutionary clubs of Rome and created wild excitement. The minister of France alone retained a cool head amidst the excitement prevailing, and his judicious conduct demonstrated what great service a capable diplomatic agent with courage might render on such an occasion without overstepping the lines of his duty to his government, who had been misguided.

⁹ D'Haussonville, p. 211.

¹⁰ D'Haussonville, p. 216.

M. Cacault, when officially demanding his passports as he had been ordered, did not attempt to persuade Pius VII. to submit to the First Consul. *He knew he was determined to undergo any calamity, even to the loss of his temporal power, of which he had been expressly menaced.*

He implicitly believed that as he had been so brutally directed, the Holy Father could not submit without compromising his personal dignity, and at the same time the cause of the Church. Here, remarks the distinguished narrator, is the ingenious method advised by M. Cacault, which he developed successively to Consalvi and to Pius VII., in sensible terms and original vigor.¹¹

His orders being formal he must leave Rome. No doubt his departure would give the malcontents an opportunity for trouble, perhaps revolution. There was the danger; there was however a method for avoiding it. It is necessary that Cardinal Consalvi should leave for Paris seated in the same carriage which would carry himself to Florence. To see thus journeying together the Secretary of State of His Holiness and the minister of France, the members of the clubs would understand that the two governments were not after all so greatly disunited. The personal action of Consalvi upon the First Consul has become indispensable, for nothing can intimidate as much, said impressively M. Cacault, as the character of this man who never allows himself to be persuaded. His own efforts in this direction have been failures. The amiable and persuasive friend of Pius VII. alone can operate such a miracle.

The course of the Emperor of Austria had opened the eyes of the Pontiff; the former had not hesitated to send his prime minister, Count de Cobentzel, to confer personally with the First Consul.

M. Cacault then said, "he knew enough to promise that nothing would be more flattering to the pride of the ruler of France than to parade before the Parisians a Roman Cardinal, the prime minister of His Holiness. After all, do not become alarmed, he insisted more strenuously at this interview; did he not instruct me to treat with you, as with a ruler commanding 200,000 soldiers? Deprive yourself of Consalvi for some months, he will return to you more able."

As Pius VII. still hesitated: "Holy Father," he continued, "Consalvi must depart with your response. He will manage at Paris under your auspice and power.

"I am fifty years old, I have seen much of public affairs since those of Brittany, which were so difficult to manage. Believe me, something stronger than calm reason prompts one of those instincts which never deceives.

"And after all what is the difference?

¹¹ *Ibid.* p. 217.

"You are accused, and you come to the front. What has been said?"

"A religious *concordat* is demanded. You bring it; there it is!"

Moved even to tears, Pius VII. decided to send his secretary of state to Paris. It was not without difficulty that Consalvi succeeded in leaving Rome.

As had been agreed, he sat in the carriage with M. Cacault and named himself to the astonished people.

Here, said he to the groups of people assembled at the postal stations along the route, is the minister of France, who travels with me.¹² Arrived at Florence he was cordially received by Murat, commander of the French army, which was looked upon at Rome as a menacing cloud, and which prevented all the cardinals from sleeping in peace. He was assured by Murat that no inimical orders had been received from Paris. This was consoling.

But he could not refrain from considering the perils in store for him at the approaching interview he was to have with the person whom M. Cacault in his familiar conversation described as "*l'homme terrible.*" Consalvi had the imprudence to write to his patron Chevalier Acton at Naples a private letter; which letter fell into the hands of the minister of France at that court, in which he gave his impressions with timidity.

"The good of religion requires a victim," he wrote to the minister of King Ferdinand. "I shall see the First Consul. I go to martyrdom; God's will be done!"

M. Cacault became aware of this imprudence of his friend. He had reason to fear, and not without grounds, that it would excite Napoleon against him. He accordingly wrote an unofficial letter to the First Consul from Florence in explanation of the character of the envoy of the Holy See. "He is," he wrote, "a prelate spoiled (*gâté*) with too much adulation, who has never experienced trouble, who knows his Rome by heart and cares very little of anything else."

"Do not humiliate too much Consalvi," he added. "Beware of the part which a man as able as he is, despite his fears, may play; do not draw him into an artifice (*ruse*); meet his virtues with your own. You and he are great, each in their sphere. Finally, finally, if you will, I did not intend to say it, but I must; our Consalvi thinks he is right; while the patriots will swear by him on the four Gospels."¹³ M. Cacault could not have written in better terms.¹³

Two ways were open to the First Consul and M. Cacault did well to advise kindness and agreeable treatment for Consalvi, rather than a return to intimidation and menace which had so effectually failed at Rome.

¹² D'Haussonville, p. 217.

¹³ Ibid, p. 217.

Shall these wise suggestions be heeded? Cardinal Consalvi had traveled rapidly and after reaching Paris proceeded to the modest residence occupied by Monseigneur Spina and Father Casselli. He had hardly been settled in his new quarters when he was called upon by the Abbé Bernier of the consular household. Consalvi requested the Abbé to ascertain when he might be received by the First Consul, and in what costume he should present himself; for prelates at the time did not appear publicly in ecclesiastical garb in Paris.

Shortly after the Abbé Bernier returned and responded that the First Consul would receive him that day at 2 P. M.

As to costume, he might wear as much of the cardinal robes as it was possible. But as this would be contrary to the custom of Rome he went in black, with red stockings, cardinal's cap and red collar.

At the appointed hour he was called upon by the master of ceremonies and conducted to the palace of the Tuilleries. He was left alone for a few minutes in an anteroom and subsequently conducted into an immense hall, filled with guests.

It happened to be the semi-monthly parade day at the Tuilleries; the cardinal, as he relates the incident, was astonished at the richness of the costumes of most of those present and of their great number—which included the senators, consuls, legislative bodies, the dignitaries of the palace, ministers, generals, all public officials and a great crowd of citizens. Cardinal Consalvi was much astonished and momentarily confused.

He was presented by M. de Talleyrand to the First Consul, who, without any further delay addressed the envoy of the Holy See in these words: "*I know the purpose of your journey to France. I wish the conferences to be immediately opened. I allow you five days, and I notify you that if at the expiration of the fifth day, the negotiations are not concluded, you shall return to Rome, understanding that for myself I have taken measures for such a possibility.*" These words were spoken in a cold deliberate manner, and contrary to the advice of M. Cacault. Consalvi was not disconcerted. In the same tone, but in a deferential manner, he replied that in sending his principal minister to Paris, His Holiness showed his interest in the prompt conclusion of a *concordat* with France. So far as he was personally concerned he hoped to see the work concluded in the time desired by the First Consul. The latter satisfied with the response showed his amiable qualities by conversing, and discussing the *concordat*, the Holy See, religion, the present state of the negotiations, and even upon the rejected articles, with vehemence but without anger or harsh language, for more than half an hour before the crowded assembly, and in the same attitude.

The conferences were opened on the morning following the audi-

ence in the modest building which had become the temporary residence of the Cardinal, who had for his assistants Monseigneur Spina and the theologian Caselli.

The Abbé Bernier alone representing the First Consul. At this point M. D'Haussonville calls attention to the detailed and exact history of these negotiations as given by M. Thiers.¹⁴ The Abbé Bernier opened the proceedings by asking Cardinal Consalvi to prepare a written memoir of the reasons which had determined the Holy Father to reject the first form of the *concordat* sent from Paris.

It appears, remarks D'Haussonville, that the first paper in connection with this negotiation emanating from the diplomatic pen of the Cardinal was not a great success.

With rare sagacity the cardinals had caused to be prepared for the Pope his formal order in writing, which before leaving Rome had been given the Cardinal, insisting that in no case the principles which underlied the form of the *concordat* agreed upon in the congregation of Cardinals under the presidency of the Holy Father was to be deviated from. He was authorized to concede certain points, but in no way touching religious maxims.

The difficulty remained to produce such a new form as would be acceptable to the First Consul, as much as was possible, with the exigencies of the Holy See. The Abbé Bernier declared he could make no decision personally, as he was obliged to refer each day's work to the First Consul. Cardinal Consalvi was never permitted to send a courier to Rome, with information or for consultation with the Pope, under the pretence that the conference would end on the following day.

As a matter of fact the conferences lasted twenty-five days. The Secretary of State of His Holiness complained that no effort was made to lessen the bitterness of the negotiations. "The Church," he declared, "had made enormous sacrifices of money, of territory, of prerogatives and of rights; she had besides declined to place in advance in these discussions any temporal object."

Never had Consalvi spoken in her behalf of the recovery of lost provinces, or of reparation for the incalculable evils which the Church had suffered. Nevertheless neither this evident spirit of conciliation, nor of absolute disinterestedness, nor the willingness to give all possible satisfaction, had influenced the First Consul to weaken or relax his first pretensions. Finally he gave Consalvi to understand that if he could not come to an understanding with the Holy See he (Consalvi) might depart.

The First Consul had moreover given to the constitutional bishops and to *les prêtres assermentés*, for whom he had but little esteem,

¹⁴ D'Haussonville, p. 221.

authority to hold a council at that very time at Paris. Consalvi totally ignored this council, although he appreciated the extent of this menace. "He," writes D'Haussonville, "was filled with anxiety and affliction; because for the Holy Father and himself the price of the many sacrifices which had been so great, and the concessions equally great were to result in the total extinction of the schism under the promise given by the First Consul, and the promise the First Consul had made, that if the *concordat* was signed he would abandon the constitutional clergy in the most solemn and authentic manner. Up to that time Consalvi had remained in doubt of his accomplishment of the difficult mission with which he had been charged. Resolved not to vary a line from his instructions, alarmed above all at the imperious tenacity of the First Consul, this impression became strengthened.

But the fact was, the First Consul was more anxious for the successful completion of the negotiations than he would have appeared.

It was carrying out the religious policy initiated at Milan; but it was on his part more of statecraft than religion; for, although believing in a Supreme Being, it does not appear that he held any definite belief in the Catholic faith.

Bourienne and La Fayette, with whom he was intimate, the former having been the companion of his youth, were aware of this fact, and moreover they were not blind in regard to his designs. To terminate the negotiations concessions would have to be made to the papal delegate. This was repugnant to the First Consul; but he yielded, in the hope to nullify them by some secret process. This project is disclosed in minute detail by Cardinal Consalvi.

July 13 the First Consul, through the medium of l'Abbé Bernier, intimated to Cardinal Consalvi that all the articles under discussion had been accepted. There remained to be prepared two authentic copies; if these were to be signed by the Cardinal alone on the part of the Holy See, then it was announced by the First Consul that he would designate his brother Joseph Bonaparte to sign on behalf of France. If the Cardinal intended to associate others with himself, then an equal number would be designated on the part of France. Consalvi named Monseigneur Spina and the theologian Caselli. The First Consul appointed the Councilor of State Cretet and l'Abbé Bernier. The signatures were to be exchanged at the residence of Joseph Bonaparte; it will require only fifteen minutes to write six names, and to exchange congratulations, said Bernier, who then handed the Cardinal a copy of the *Moniteur* of the day, calling attention to the paragraph notifying the public of the conclusion of the *concordat* in these terms: "*Cardinal Consalvi has accomplished the object of his visit to Paris.*" The following day, July 14, being

one of the most patriotic festivals of the republic, at a public banquet of three hundred guests, was to be announced the signature of the solemn treaty which restored religion to France.

When assembled to place their signatures to the duplicate copies of the treaty, Bernier produced a copy which he placed before Cardinal Consalvi, who with pen in hand was about to write his name without examination, when glancing over the first words he discovered that the treaty offered was not that which had been agreed upon; on the contrary it contained articles which had not been accepted by the Holy See.

It was modified in several parts besides. It was another and entirely different agreement.

The Cardinal was greatly excited at the discovery and promptly declared he would not affix his signature. Both Joseph Bonaparte and Councilor of State Cretet were innocent of any knowledge of the intended imposition; the Cardinal sought an explanation from Bernier who was *au fait* to the ignoble scheme. He acknowledged in a confused manner the substitution; but, he continued in a hesitating manner, the First Consul had so directed, insisting that it was always privileged to alter a document before it had been signed, besides, upon reflection, he insisted upon these articles because he was dissatisfied with those which had been agreed upon. This proposition was promptly negatived by Cardinal Consalvi with indignation; what wounded him most was the method employed. Again he protested he would never accept the treaty which was decidedly contrary to the wishes of the Pope. The intervention of Joseph Bonaparte succeeded, who, innocent of the prior history and of the later scheme, sought to bring about a timely arrangement which he said was indispensable because of the announcement in the *Moniteur*, and the proclamation of the *concordat* which was to be made at the grand banquet on the following day. "It is not difficult to imagine," he affirmed, "to what extent of indignation and rage such a character as his brother was, who gave way to no opposition, should he appear before the public eye as having published in his own journal false intelligence relating to a subject of so much importance; he begged the Cardinal to attempt at least, and immediately, some arrangement.

Moved by the reasons given by the brother of the First Consul, and charmed with his air of sincerity, he consented to recommence work on condition that the copy of the *concordat* which he himself had brought and not the spurious document presented by l'Abbé Bernier should form the basis of the consultation.

This was agreeable. It was 5 P. M. The discussion was immediately opened. The carriages and servants were retained, because

it was expected that an agreement would be promptly reached. Nevertheless the night was passed without sleep or intermission, while the discussion lasted until the following noon.

The most disagreeable impressions remained upon the mind of Cardinal Consalvi at the conclusion of the nineteen hours debate.¹⁵

At noon nearly all the questions discussed had been agreed upon; one only remained, upon which the Cardinal declared he could not satisfy the First Consul, as to do so would exceed his instructions; but he proposed to omit it and to leave it to the decision of the Pope.

This was agreed to, and toward 10 o'clock Joseph Bonaparte started for the Tuilleries fearing as he said an unfavorable response.

He returned soon, betraying on his face the sadness of his soul.

The First Consul on learning what had passed became violently angry and commenced by tearing into small pieces the pages of the *concordat*. Finally, at the earnest solicitations repeatedly made, he accepted all the articles agreed upon; but in regard to the deferred article he remained irritated and inflexible. Go, said he to his brother, and tell Cardinal Consalvi that he, the First Consul, demanded absolutely the acceptance of the article which had been prepared and submitted by l'Abbé Bernier.

The alternative remained for the Cardinal to accept the article and sign the *concordat*, or break off all negotiation. For it was intended to announce at the grand banquet either the conclusion or the breaking up of the affair.

It had now become late in the afternoon and a few hours only remained between the time when the last summons had been so rudely given and the opening of the sumptuous banquet at which the distressed Secretary of State of His Holiness had been invited to be present.

Neither Joseph Bonaparte, neither the l'Abbé Bernier, nor the Councilor of State Cretet had ceased to urge the responsibility Consalvi would assume in opposing such a man as was the First Consul.

"I experienced a mortal anguish," wrote Consalvi, "but my duty prevailed, and with heaven's aid I did not betray it."

Half an hour later the Cardinal with his two friends reached the Tuilleries. All the vast salons were filled with the same crowds of celebrities seen on the occasion of the first visit of Consalvi to this palace.

During the course of the evening the First Consul, who never lost hope of overcoming opposition from any quarter by intimidation or otherwise, observing Consalvi, accosted him in a loud tone and with an angry visage:

"Well! Monsieur le Cardinal, vous avez voulu rompre! soit. I have

¹⁵ D'Haussonville, pp. 227-228.

no use for Rome. I have no use for the Pope. If Henry VIII., who had not the twentieth part of my power, could change the religion of his country, I can do much more. In changing the religion I can change that of nearly all Europe subject to my control. Rome will see the losses she has caused. She will weep over them but there will be no remedy. You can go; it is the best course remaining to be taken by you. Well! you would break, therefore be it as you have wished. When can you go?"

"After dinner, General," replied Cardinal Consalvi in a calm tone.

These few words astounded the First Consul, who looked fixedly at the Cardinal, who taking advantage of his astonishment attempted in an amiable manner to explain how he was not at liberty to overstep his powers, nor to agree to points not in accordance with the maxims of the Holy See.

Pointing out the veritable difficulty, which with Napoleon from the beginning to the end of his career had never ceased to see in religious matters an invincible obstacle, he attempted to explain to this man, who not only comprehended but understood everything, he endeavored to make him admit that there was such a thing as conscience; and that in ecclesiastical affairs one could not do that which in temporal affairs might be done in extreme cases. Besides, he continued, in a gentle tone, it would be unjust to pretend that a rupture had been sought on the side of the Pope, because all the articles had been accepted with the exception of one.

For this one he had asked that the Pope be consulted, while his own commissioners had not rejected this proposition. It is not known what effect this quiet response had upon those surrounding the two persons engaged in this conversation. Upon the First Consul himself it had apparently produced little if any effect. Consalvi repeated that he was not authorized to accept this article. The First Consul insisted that it be accepted entire. "In that case," replied Consalvi, "I will never accept it."

"This is why," declared the First Consul, "that I say you wished a rupture, and I consider the affair as ruptured. Rome will see this and shed tears of blood over the result!" This concluded the conversation. Another effort was made to overcome the decision of Cardinal Consalvi.

The Count de Cobentzel, Minister Plenipotentiary of Austria, was induced to bring his influence to bear upon the Cardinal. He made use of the frightful possibilities of France becoming a Protestant nation, one of the favorite arguments of the First Consul.

This he enlarged upon eloquently, as well as upon its consequences upon Europe generally.¹⁶ In concert with Joseph Bonaparte, he

¹⁶ D'Haussonville, pp. 229-230.

induced the First Consul to grant another conference on the article in dispute, when, if an agreement could not be reached the accord would be broken and the Cardinal might depart. The latter was chagrined to learn that his colleagues were inclined to abandon his side of the controversy.¹⁷ The article in discussion was the first in the *concordat*, which had relation to the public exercise of religion. This latter was accorded, but made subject to police regulations, which appeared plausible in itself; but Cardinal Consalvi would not admit this, unless it was specified that such regulations were for public tranquility. This the First Consul refused as a part of the agreement, because he had his own designs which were revealed later on in the Organic Articles. Much discussion ensued without an agreement. The Cardinal suggested that it was intended to subject the Church to the State. On this account he opposed this pretension. Joseph Bonaparte was perplexed as to the manner in which he should report the situation to the First Consul. "I know my brother sufficiently," he said, "to believe that if consulted in relation to this point he will absolutely refuse to accept the amendment suggested by the Cardinal. The only means remaining to obtain this result, although I do not assure its success in advance, is to place before him the complete articles.

"I desire ardently the conclusion of the *concordat*. We must, however, sign this evening!" As to the indignation which might be manifested by the First Consul, it was he and his brother who were interested. The discussion ended, but the *séance* continued. There were prepared two copies of the articles adopted. It was midnight when this was completed. Joseph Bonaparte in taking leave of the Cardinal assured him that he hoped the affair was concluded and that his brother would not undo it; to this the Cardinal replied that in case of refusal he would not agree to the article pure and simple, and that he would depart whatever might result!

¹⁷ Une statistique administrative de l'époque constate que le culte était rétabli dans 40,000 communes. La conséquence véritablement importante du concordat, c'était la reconstitution, entreprise de compte à demi avec celui qui réédifiait alors toutes choses, de la puissant hiérarchie de l'église catholique. Cette église reconstituée et soldée par lui, allait avoir à se préoccuper désormais beaucoup moins des sentimens de l'opinion publique et beaucoup plus de la volonté de l'état.

A peine la conclusion du concordat, que sur une demande de l'Abbé Bernier le Premier Consul avait prié les évêques constitutionnels de ne pas prolonger le concile qu'il les avait autorisés à tenir. Il fit savoir au ministre de la police, Fouché, "qu'il eût à faire connaître aux journalistes, tant politiques que littéraires, qu'ils devaient abstenir de parler de tout ce que pouvait concerner la religion, ses ministres et ses cultes divers." Correspondance de l'empereur Napoléon, t. vii., p. 215, quoted by D'Haussonville, p. 233, in L'Église Romaine et le Concordat, *Revue des Deux Mondes*, Mai, 1856.

Victory for Cardinal Consalvi!

The following day Joseph Bonaparte informed the Cardinal that the First Consul *avait été très courroucé de l'article amendé*; that at first he had refused his approval under any consideration; but, yielding to his persistent efforts, and in view of the serious consequences of his refusal, his brother, after considerable reflection, and a continued silence, had accepted the amended text and requested that this decision be made known to the delegate of the Holy See.

Thus was concluded the laborious negotiations of the *concordat*.¹⁷ These had been inaugurated by the First Consul with intimidation, while craftiness was made use of later on. But neither of these methods had been successful in the attempt to acquire the lion's share. He was momentarily satisfied while meditating schemes to recover his lost ground.

Cardinal Consalvi was also satisfied. The public generally joined in this satisfaction. The sensation created in Paris and throughout France was immense, when the fact became known that a treaty had been signed regulating religious affairs, *entre l'homme qui disposait des destinés de la république française et le chef de l'église de Rome*.

The First Consul, during the same decade, was destined to show to the world to what extent he could humiliate the venerable Pius VII. He overthrew his temporal power, sequestered the estates of the Church and finally deprived the helpless Pontiff of his personal liberty.

RICHARD R. ELLIOTT.

Detroit.

LAND PURCHASE IN IRELAND.

TO THE measure now before Parliament there seems to be no opposition in principle. The number who voted against it in a full House was only twenty-four. Certain amendments are to be proposed in committee, but as they affect details and not the principle, they may be set aside, for probably some agreement concerning them will be arrived at.

While desirous that the Bill will pass, there are some objections that may be offered to the historical survey of its policy presented by the Chief Secretary. These are objections that must be considered with some care, as we think a right estimate of the policy is essential to the successful administration of the measure.

The aim of the Bill, in other words, the policy of the Bill, is to reconcile classes, but if a mistaken estimate of the causes of conflict

be allowed to stand as the justification of the Bill, a feeling of injury will remain, which may prevent the desired fusion of classes. If on the highest authority in the State, that of the Minister in charge of the Bill and of the Minister at the head of the Government, it should go forth that the Landlords were in a manner coerced to accept it, not because it dealt justly with their interests, but because their position would be worse than it had been at any previous stage of the agitation if they refused, it is difficult to discover how they will feel themselves bound to regard their former tenants and the classes that aided them in any other light than as enemies. There are very plain evidences of such a feeling at the Landlords' Convention, held towards the close of April. The gentlemen there had ample means of knowing the situation then. The Chief Secretary had introduced and explained his measure, the National Convention had practically endorsed it; and so they knew the limit of their hopes and fears. There was not in the language of some speakers at the Landlords' Convention a warrant for the future tranquillity looked for; and what is more to the purpose, there seemed even amongst the most collected and sensible of their number a sense that they were forfeiting rights which they had to yield, less something worse should happen.

The Prime Minister in his speech on the second reading attacked the existing laws, and particularly the Act of 1881, as containing the worst elements of peasant proprietorship without a single benefit supposed to be derived from that form of tenure. In this, no doubt, he gave voice to the opinions of the whole body of landlords and the numerous body in England that looked upon them as the English garrison in Ireland. He quite forgot a most important consideration, so far as the Act of 1881 is concerned, that if it constitutes the tenant a proprietor, it does so at least without calling on the landlord to prove his title; if it makes the tenant a proprietor, the landlord incurs no expense of title. There is a material distinction between it and the purchase scheme. In the latter, the first step is the devolution of the title. With regard to the latter, it is a matter of supreme importance to show a clear title, though only one of administration, but then a matter so important when so much of the success depends on the financial element, that the working of the measure depends upon it. There must be a clear title to sell each holding on an estate, and unless the Commission purchase the entire estate, the expense will be prohibitory. After purchase to sell the individual holdings with the clear title they themselves have received would be the obvious course for the Commissioners to pursue, and without a more formal conveyance than would be contained on a page of note paper. The Bill contemplates some such course,

so far as estate groups of holdings; but no one will question the right of individual landlords to select the tenancies they are willing to sell, unless some veiled coercion is intended in the interests of peace. It may very readily happen that a proprietor, for instance, would part with isolated holdings or remote town lands, while anxious to retain his present relations with tenants in the vicinity of his demesne, for whom he and his ancestors entertained kindly feelings. For such a class of isolated or remote holdings—and they are part of almost every estate—there is no provision in the Bill, and the wishes of the landlords and the tenants could not be carried out unless at a prohibitive expense in making out the title.¹ It might be remedied by a simple transfer of the title, the register operating as perpetual evidence of conveyance, the relation of the landlord and tenant within the meaning of the Act of 1881 being taken against all the world as proof of the title of one to sell and the security of the other in buying, as we have suggested partly in the foot-note. No outstanding interest can affect the tenants' interest as such, under the Act of 1881, in our opinion, and therefore the transaction would be conclusive against all interests not appearing on the register. The tenants' interest under that Act has more than the validity of a first mortgage to the effecting of which a clear title was shown, because we rate the tenants' interest as prior to all charges save crown rent.

The security to the state in such cases is the same as for any other tenants who might be purchasers from the Commissioners, and the transaction should be allowed to come within the scope of the Bill unless there are to be plague spots left behind as centres of discontent. In a word, cases of isolated town lands or of individual tenants should be dealt with on the terms accorded to estate groups of tenants. On the other hand, there ought to be no coercion such as that intended to be produced by the extraordinary violation of constitutional principles proposed in those cases when only the majority of tenants on an estate agree to buy. It is conceivable that tenants should prefer to live under the Act of 1881. The assent of the Irish members to the coercion of a single tenant, however unreasonable to outsiders may appear his refusal to become a "peasant proprietor," under Mr. Wyndham's measure to remaining as he now is according to Mr. Balfour a "peasant proprietor" under the Act of 1881, is an assent very distinctly outside their mandate as the phrase goes. We are inclined to think they cannot permit such a blot to remain. We are perfectly certain of the excellence of

¹ We think the tenants' interest under the Act of 1881 should be sufficient proof of his title to buy, and the record of the transaction should be deemed equivalent to a Landed Estates Court, or Land Judges' Title; that is, to a Parliamentary title.

the Act of 1881, despite the unwearied efforts of the landlords and their English supporters to defeat its policy, and we are not disposed to prefer the leap into the dark of unchangeable instalments during nearly seventy years. We have some objections to the Bill before the House, as we may say distinctly, objections resting partly on the supposed history, to which the Chief Secretary treated the country on the introduction of the measure, when he spoke in terms of bewildering enthusiasm of "that old stock which stood the racket of dynastic wars and suffered more than any aristocracy in the world ever suffered;" and objections which a careful examination will show as resting partly on intrinsic weaknesses which, however, can be removed by the requisite machinery for administration and only by that.

The Solicitor General for England, who is an Irishman, and who during the excitement of the war of classes which followed the rejection of the Gladstone measures in 1886, conducted most of the prosecutions under the *Crimes* Act before the various magistrates appointed to try the cases under that Act, ought to be supposed to possess some acquaintance with social and political conditions in Ireland and with the character and effect of land legislation. He declared in a speech at Oxford that the measure before Parliament was not final, and that he would be looking out for the next Bill. The Irish members attribute to this gentleman a malignant hostility to Irish interests which could only be found in a mind tainted by special prejudices. We know the length to which religious, political and social prejudices are carried in Ireland; and we know that instead of being separable as in other countries, they are strands of one cord so magically twisted as not to be unwound, not to be divided but by the sword of Parliamentary reconstruction. It is idle to regard Sir Edward Carson as a man so insane on every subject save what serves his personal ambition, that nothing he says can be regarded as carrying weight. The very objection as to finality he made was one the Chief Secretary himself anticipated at the first reading, and to which he offered in his speech an answer beforehand by no means in the nature of a denial but distinctly of the quality of a plea in extenuation, like a lawyer's speech in mitigation of damages; a plea not possessing in any degree the qualitative effectiveness of a plea in confession and avoidance even. He was simply throwing himself on the mercy of the court. "I am an old offender, so old that I am not likely to be able to offend again, so I promise to offend no more." This in substance, and in fact, was the meaning of his depreciation of criticism as though he had forgotten that the first measure in favor of the tenant was the Act of 1870.

Sir Edward Carson, as we may say, must have had good reason for doubting the finality of the measure; he had experience of one "final" measure of his leader in 1890-1891—and we think the Chief Secretary's appeal to his opponents to spare criticism would not have been at all successful were it not that the opposition supported him, we mean the legitimate opposition, led by Sir Henry Campbell-Bannerman, not the twenty-two members led by Sir Charles Dilke, that wandering star of advanced radicalism, and Mr. Coghill in a combination of reciprocal distrust of anything intended for the benefit of Ireland, rather than a disinterested concern for the pockets of the English taxpayer.

We are quite certain that the English Solicitor General was not moved by a profound sympathy with the English taxpayer. He knew perfectly well, and appreciated what he knew, that the taxpayer in question was found guilty by a Royal Commission mostly composed of the taxpayer's own countrymen and Scotchmen of taking 3,000,000 pounds annually from Ireland in excessive taxation. A sum exclusive of interest, of compound interest, during the period since the Union amounting to a third more than the French indemnity to Germany, and this was transferred as taxes from the poor to the rich country: a sum, so far as we can yet judge, greater than that expended in the South African War, notwithstanding the unpleasant financial legacies bequeathed by the latter; a sum, if to it compound interest were added, would purchase out the English landlords on their present rental, and the English Church Establishment at its present value. Rentals in England have fallen 50 per cent. since the period which corresponds with the rent fixing operations of the Irish Land Act; but this is never taken into account. This statement cannot be contradicted; we have read agricultural returns from every county in England, and they spell ruin for the English farmer. Landlords in that country have voluntarily made reductions greater than those decreed by the Land Commission. One would say the present Bill is a bribe to the new landlords, while they themselves say it is meant to coerce them. The word "bribing" is not courteous, it is not really the word we like to employ, but it was used by their organs with regard to the measure of 1886. There are times when plain words must be used, and surely it is such a time when forgetful of everything in the past, gentlemen pose as if they had been unjustly treated by legislation demanded in the interest of an entire population, when they speak of such legislation as "robbery," "betrayal," "flinging them to the forces of rebellion," and when they say all this was done, in return for their having preserved Ireland to the Empire, and done by the Parliament of the Empire. Under such circumstances it is right to

point out that they have not been unjustly treated, that on the contrary, all the resources of government were at their disposal. Their pretence is that the legislation begun in 1870, and expanded to legitimate results in 1881, has robbed them, made them the paupers they profess to be, as though there were not one mortgage on Irish property. Since the last named year they have been using all methods to obtain concessions of one kind or another, in compensation for the incomes that were reduced or that might be reduced, for this possibility deserves to be borne in mind. Their agitation to obtain compensation began before a single income was touched, and the cry had been kept up by the owners of land whose estates were not yet reached by the investigations of the Land Commission. If it be true that only a sixth or a seventh of the land has fallen within the jurisdiction of the commissioners, and this we understand to be Mr. Balfour's estimate; and if we know that something like half the rental or value of the remaining five-sixths, or six-sevenths cannot fall within the jurisdiction, because these areas are excluded from the Land Acts, we are at a loss to discover how the extraordinary losses spoken of are at all referable to Mr. Gladstone's legislation. It is like crying out before one is hurt, but we shall suggest in explanation with all respect what seems to us to hit the white in the alleged grievance; and possibly the suggestion will be regarded as an instructive episode in the history of Irish landlordisms.

In 1875, and, of course, in the years up to and including 1881, the mortgages on Irish property reached to one hundred and sixty million sterling, an amount far above the value of the land affected by legislation. In 1875 the value of the land had reached the high water mark. In the following year the importation of live stock from America caused a decided depreciation in the value of stock in Ireland and arrested the tendency to increase rents which had been steadily manifesting itself in spite of the Act of 1870. There was a succession of bad seasons from 1876, the effect of which in 1879 was seen in the ruin of small farmers, and losses among the large farmers, and the graziers, which left them with hardly any capital. Thousands of acres of pasture land were surrendered, a thing no one would think possible a few years before. The value of grazing land had been increasing from 1852 to 1875 in a manner hardly conceivable. Wherever a holding partly in tillage fell into the hands of a landlord it was taken by a grazier, the tillage was put a stop to, and the entire holding converted into pasture. Wherever the eye of a grazier fell complacently on an adjoining holding, he offered a higher rent than the tenant could pay. The latter was accordingly compelled to decamp with such compensation as the

chairman in the county court thought fit to award, under the Act of 1870, the new tenant paying it directly for the possession together with the increased rent, or indirectly in the increased rent.

Now there was a check on this adding farms to farms, owing to importation of live stock from America, for pasture in consequence ceased to yield abnormal profits. The year 1879 saw the starting of the Land League, when, as we have said, the utter ruin of the small farmers had brought about a campaign of eviction threatening to bear the proportions of those clearances which had emptied whole baronies of inhabitants in the great epochs of depopulation. The Act of 1881 followed. We do not intend to embarrass ourselves with considerations about the legality of the methods of the Land League. For tenants to hold meetings at which grievances should be expressed and resolutions pointing out remedies should be framed, are constitutional rights. We can conceive that a sub-inspector of police might on a given occasion have made an information before magistrates most unquestionably interested as parties on one side, the information stating that he had reason to believe if a proposed meeting were held, it would provoke a breach of the peace, or at least was calculated to provoke one. He would, possibly, be authorized to prevent the meeting. All this we think is easily intelligible in a country governed as was Ireland. Again a proclamation by the Lord Lieutenant in Council, rightly or wrongly, is supposed in that country to have the authority of an act of Parliament. We think that in O'Byrne vs. Hartington higher functionaries were deemed protected against an action for assault justified by such a proclamation. In a country where there is no public opinion, where officials of all classes are led to consider themselves not merely the guardians of the law, but are in their own persons above or outside of the law, when acting under the authority of a proclamation, it might be conceived that a proclamation of the Lord Lieutenant and Privy Council—without an act of Parliament at all—could suspend the right of public meeting. Throwing out these possibilities a fair-minded person could reasonably infer that public discontents, in themselves, perfectly justifiable, would be forced below the surface; and we fear that this it is that led to many of the secret societies that kept the country in unrest.

There were discontents in the sister island from time to time. Exclusion from the franchise of a large part of the English people was one; the right to send one, or even two members to Parliament possessed by some paltry village at a great man's gate, was one; the inability of towns of the first commercial importance to send a single representative to Parliament was one. There is hardly any one now we

think who would openly defend what was called "The Peterloo massacre." We doubt would Mr. Coghill, and we are very sure that Sir Charles Dilke would not defend the riding down of Englishmen assembled to pass resolutions in favor of a reform in the representation of the people. Still, we do not say the meetings of the Land League were improperly suppressed, but we cannot prevent the mind from going back to the figure of "the old man eloquent," whose greatness in all things made for him a zone into which petty interests and political malignities could not find their way, and who was so much affected by one of the incidents attending interference with a public meeting, in a little Irish country town, that he gave as a battle cry to every Englishman who loved justice and hated oppression: "Remember Mitchelson!" That cry is a thing of the past; in the era of sweet reasonableness, into which all classes, save a few stalwart landlords, have entered, the episode may be put out of sight like many another memory, but the indignation of the great Liberal Chief should never be forgotten by those he so often led to victory over the powers of violence and fraud.

But whatever may have been the character of the Land League meetings, the Act of 1881 is the law of the land, and must be the law for a large part of the agricultural interests in Ireland, while the administration of the coming measure is moving from estate to estate with leaden steps, and ought to be spoken of with respect by those charged with the responsibilities of government. The crime which attaints that great measure is that it exposed a hideous and gigantic pretense, a public lie; the pretense of an aggregate of bankrupts posing as an aristocracy of great wealth and great public spirit. If they had not been living on credit and on artificial margins of rental, how could the passing of an act have affected them before one sub-commission could sit under it? How could it have affected those whom the court had not reached, or those who were not likely to be reached for years? How could it have affected incomes on estates wholly or almost wholly outside its purview? Yet, all the landlords joined to assail it, all the land owners, all the agents, all the hangers on of the landed interest attacked it as the spoliation of the loyal few who had been fighting their "corner," as the chief Secretary would phrase it, holding Ireland for England in the teeth of the sullen and refractory population that their fathers conquered. Why, so full of this sense of peculiar cohesion in its units revolving in the midst of storm clouds is this ascendancy, that we remember well a man of a most beloved private character, Lord Rathmore, declaiming to the Dublin Tories that they were once more face to face with that foe their fathers had overthrown two hundred years ago, and this with regard to an institution condemned

by all parties. The fierce undying feeling of class and party superiority is not confined to men of the rank of the gentlemen just named, the Belfast ship carpenter and Lurgan weaver can dream when things are flourishing that all around is moving to prosperity, that is, to the beneficent conditions of life to be attained when 'he "Papishes" are again under their feet. Why, even in England it was said that the harmony in Ireland produced by the conference of landlords and tenants was a sham treaty of peace for the purpose of throwing dust in the eyes of the British tax-payers.

Men who have money to lend—and these have done strange things for high interest—they have lent to Turkey, to the Republics of South America, to the Khedive when his bonds were not worth the paper on which the obligations were written—such men expect some sort of return. When economic forces, quite apart from the Act of 1881, pricked the bubble of the solvency of Irish landlords, no money would be lent even by the most rash. The office in Henrietta Street would tell any money lenders' attorney what the amount of mortgages affecting an estate reached, all persons interested in this information would soon learn that they had been lending money to men, the value of whose Equity of Redemption was not even a metaphysical subtlety of ownership.

Looking at the facts as they are presented, any one will recognize that the claims of the Irish landlords to compensation for losses synchronizing with the fall of agricultural values in England have no foundation in justice. Certainly legislation after the mortgages were made did not make them debtors. If their claims are at all good, it is against their creditors they are good, and not against the legislature. Now, let us be understood, as we shall have to give from our point of view some presentation of this branch of the Irish difficulty; we are anxious to state the matter fairly; we do not mean anything uncivil when we say that any title to relief the landlords have is against their creditors who must have lent much of the money on fancy rentals. That is, in the sense of protection against men, who, in eagerness to obtain speculative interest, tempted them to borrow on rents screwed up to the point the lands could not bear. The idea that mortgages possess a character, which in the absence of special equities, they have no more right to than any other kind of debt, is one that we think ought to be done away with. We do not mean to suggest the abolition of specialties, but we desire to get rid of the fetish worship of things in any way connected with the land, so that even charges on land are different to other debts. It is not asked for here that there shall be a universal leveling of debts, but we suggest the leveling of debts in their own classes affecting the estates of Irish landlords. Any one who

knows Ireland knows perfectly well that the landlords are largely indebted in simple contract debts, but there is no account of these, in the controversy, because they die with tenants for life. Neither is it supposed that these will be paid unless, possibly, in exceptional instances where the next tenant in tail makes himself liable for the debts of the tenant for life, a thing we are glad to say has happened to our knowledge.

What we think is that mortgages should lose priority as between themselves and judgment mortgages should level with the simple contract debts. Then that a composition of so much in the pound should be paid in each class, a higher one in the first than in the second. The pretence that these gentlemen are persons of exceptional virtue and honesty had better be shelved for the present. It is not relevant to the issue. We venture to say that large numbers of the landlords are in the books of shopkeepers, and that these landlords became indebted to their tenants. That many are indebted to money-lenders on promissory notes, possibly with the collateral security of life assurance we have every reason to believe. We think there is a reported case of this kind, in which we appeared before the late Judge Flanagan of the Landed Estates Court. The circumstances were peculiar, but we succeeded in postponing over forty judgment mortgages to the right of the owner's wife, to step into the shoes of a mortgagee whose debt she had paid off. Clearly this gentleman's interest had been mortgaged to the hilt, and was of no value, but the money lenders had gratified him at a high rate of interest, in the hope of getting paid in full, in some way ordinary people cannot conceive. When the estate came into the market for debts against the inheritance contracted by husband and wife jointly, a principal mortgage was paid off by the wife out of her own separate estate. In consequence of this the Israelites rushed in to secure priority over her, which, as we have said, would have turned highly speculative debts into certainties; that is to say, moneys lent to a man no better than a pauper. The case is ear-marked on account of certain legal-equitable principles involved, but it is material as showing how ready money lenders were in those earlier days to lend money, even when the risk was extreme. We could not have been more than a year at the Bar when we were asked for opinion on behalf of two tenants concerning four promissory notes amounting in all to £2,000, two of these passed by a great landlord, a peer of the realm, who was a tenant for life under his own marriage settlement, and one each by his younger brothers. There was the general settlement under which the three were tenants in tail, and the two particular settlements, by which the peer and a younger brother were tenants for life. Only one promissory note could affect the

inheritance by means of a judgment registered and this with regard to the remote interest of the one younger brother, who was a tenant in tail and who had not been made a tenant for life under a settlement like those executed on the marriage of his brothers. But the strange thing now comes to be stated,—the two younger brothers had considerable incomes of their own, partly from small fee simple estates, and partly from valuable leaseholds of pasture farms. These were not included in any settlement. The obvious course was to procure a judgment against each of the younger brothers, and register against the unsettled estates. The debts were about being barred by the Statute of Limitations. The tenants, a father and son, each with his own holdings, dreaded to take proceedings, losing thereby £2,000 and interest, after going to the expense of having their attorney send a case for advice to counsel. All that a landlord or an agent need do in those days was to borrow money on his I. O. U. or better for the tenant, on his promissory note, as the tenant could obtain Bank accommodation on the Document; but a field here, a little farm there, a building plot in the village or the hope of any of these favors was after all the chief consideration for the loan. There was the other side of the medal, if the loan were refused, notice to quit, eviction, ruin would follow or might follow. It was slavery pure and simple. In this way "that old stock" "fought their corner," "suffered more than any aristocracy," to quote the Chief Secretary's words, but not in his application of them.

We are writing this largely from personal experience and we deem it our duty to do so since we find that most, if not all, of those who have dealt with the question of Irish land since Mr. Wyndham's measure was spoken of have acted similarly. Even a philosophical lawyer has given his personal knowledge of cases in Ireland under the act of 1870 and the Act of 1880, in the *Nineteenth Century* for April. This gentleman, Sir Alexander Miller, instead of keeping to those transcendental propositions which, like prophecies cannot be controverted, has descended to the arena of law and legislation; but he has not offered the light we might look for from a man of his distinction. Whenever he was accurate, he was not speaking to a single point in issue; when relevant he was inaccurate.

Judge O'Connor Morris had been airing his views in the *Times*, in at least one English weekly, in the magazines as well as in his county court, on the existing law as reasons in opposition to further legislation. We are not insensible of the impropriety of a judge railing at the law he has to administer. We think such a thing indefensible when done for a political purpose. Whether he does

so in a daily paper, a weekly or monthly, or even in his own court, there can be no conceivable justification for it. There has been too much of this in Ireland; it invaded even the Land Judges Court in Chancery. A judicial pronouncement expressed with dignity concerning the operation of an Act in a case in which the law works injustice in a particular case then and there, is one thing; but light and quasi-jocular criticisms and sarcasms on the general scope of a law, without reference to the matter before the court, varied by sneers at public men and suggestions as to the dishonesty of the influences that caused the passing of the particular law is another. We find it difficult to understand how the people can be expected to respect the law, generally, when a particular statute affecting a wide field of interests is discredited by the judges who have to interpret and administer it. This pernicious example was followed in certain parts of the country. Examining the judgments of the Sub-Commission Courts, even when the Government which passed the Act of 1881 was in power, was common; when their opponents took their place, to show contempt for the sub-Commissioners almost everywhere was the practice of landlords to an incredible extent and of tenants leaders to a very censurable extent.

There is one very strong recommendation the Bill possesses; it proposes to preserve the Gentry, that is, it offers an inducement to them to remain in their own country. Many objections would occur to the expropriation of the class altogether. We think no Irishman desires it. The most obvious certainly would be the injustice of requiring them to sell the land in their own immediate possession, unless the supreme interest of the state required it. We do not know that this was intended by the Gladstone Bill of 1886, we rather think it had no such intention; that what Mr. Gladstone really meant was, if these gentlemen found they could not live in the same country as a Home Rule Parliament, the sale of their estates through the Treasury to their tenants, would provide the means to enable them to leave it. It was very likely he possessed information leading him to think there would be a general stampede of the aristocracy. We ourselves heard men speaking in that strain. The moment Home Rule is passed, the Catholic Anti-Home Ruler would say, "I'll pack my portmanteau;" and indeed one gentleman would have a good reason for doing so in any case. As a trustee, he simply squandered the trust estate as though it were his own. The Protestant would declare if Home Rule or Rome Rule were forced down "our throats!" These were mere threats, idle movements of the air not meaning anything, dying in the sound, but no doubt such utterances were carried to Mr. Gladstone. The Protestants had as much intention of leaving the

country as the Catholics, unless indeed, when both had interests in England which made it really their country.

We are, as we cannot too often insist, anxious that the Bill may be successful. We do not mean that it will pass, this is outside doubt—but we hope that its administration may confer that character of finality which Sir Edward Carson thinks it wants, which the Chief Secretary seems to fear it wants, and which without such administration it must want.

The first practical thing in addition to what we have suggested in the way of amendments, is to compel all absenteeees to sell to their tenants. Absenteeism is an ancient and universally condemned mischief in the social system of Ireland. The measure does not deal with it. What interest has the Duke of Abercorn, the chairman of the Landlords' Convention in Ireland? He has sold the greater part of his Irish estates and invested the proceeds in Mr. Rhodes' Chartered Company and other African enterprises. He is an Irish Duke and Marquis, we think; at all events we know he is an Irish peer, but a title from Ireland does not necessarily mean an estate there, or any connection with the country. Under George I. and George II. it was a common thing to elevate the women who came with them from Hanover to the distinction of peeresses of the Kingdom of Ireland in their own right, and to reward the men from that country, whose proper place was Newgate or the Fleet, or some convict settlement, with an Irish Peerage.² This was what Grattan meant when he told the Commons of Ireland that England had dishonored their peerage. The Duke of Abercorn is a most respectable man, as his father before him was, but his principal, if not at all his financial interest, is situated in the Rand, in South African mines, helping in the eminently Christian business of compelling black men to go down from Central Africa to Johannesburg and die below the surface of the earth in labor and conditions of living necessarily fatal to persons of their habits and whose existence has been spent in the open air. We are not condemning the noble Duke for believing as his fellow shareholders of Jewry and Germany believe, that it is good the blacks should be civilized by transportation to a climate different from their native one, and introduced to a form of Christianity not incompatible with polygamy, by forced labor as a preparation for the mysteries hidden below the mines, and to which that labor will be a speedy passport. But Irishmen who were called tenants used to be transported in

² The infamous men and women in the train of these princes obtained pensions on the Irish Establishment, because even Walpole dared not put them in that of England, and were created Irish Earls and Countesses because it would bring about a revolution if they obtained such titles in England.

former days to American and Australian convict stations, used to be evicted, used to be starved to death, in recent days, that the Noble Duke and men like him might buy shares in South African enterprises, or in order that the lesser landlords might run up £160,000,000 in mortgages, and as much more in unsecured debts.

One objection to purchases through the Imperial Exchequer is that the drain of money from the country is a loss for which there can be no equivalent. Rents paid to resident landlords come back in some degree even though a large part went away to English capitalists as interest on mortgages. The reader may not be aware, but it is a fact, that a very large part of Irish mortgages are held by English insurance companies. Very many other mortgagees, who made advances in Irish property there were besides the shareholders of such enterprises. As to the existing transactions, we are not in a position to say exactly to what extent the securities are held by Englishmen; but this we are sure of, there is an enormous English interest in Irish landed property and this must be respected by the government as a political expediency. But is Parliament bound to be so tender about speculators, such as the government considers itself to be? We know that the metropolitan district sends nearly seventy members to the House of Commons. This is a formidable power when the conditions are considered. They can always be on the spot; they are by their numbers and the fact of vicinity, more consolidated than the other sections of the House. They are far more homogeneous than the Liberal party when a matter touches the pocket of London, more influential than Ireland and Scotland combined, unless the members from these countries are prepared to incur special sacrifices of time, health and comfort to attend—a sacrifice not to be expected unless on very rare occasions. We do not think the suggestion we make with regard to absentees will produce any effect, but we make it for more reasons than one. We think, at least, it should be discussed, for it is these English mortgagees who are to be secured by the great price to be paid by the Irish tenant purchasers, and with them, the absentee landlords who drain the country of its resources.

But first, we have suggested that there shall be no distinction between individual tenants or the tenants of outlying town lands and the estate groups contemplated by the Bill; second, that there shall be no coercion of the tenants to buy, and in this we would include not crippling the machinery of the Land Commission to fix fair rents;³ third, that a register of the title in the case of isolated hold-

³ The savings expected from reducing the strength of the Land Commission is part of the security for the advances from the Exchequer. The change should not be allowed to impair its efficiency.

ings would serve every purpose of a conveyance; that is, that on the register clearly nothing should appear except the transfer of the owner's title to the purchaser,—the owner appearing as absolute owner, and the title not affected by equitable estates. Such a reform as this would produce a great saving in the administration of the Bill if adopted for all the transactions coming within its scope. With regard to this matter, we offer one more word: In case of sale after the sixty-eight and one-half years for repayment by permission of the ruling authority,⁴ a registration of the transaction as between vendor and purchaser would be sufficient *per se* to convey the interest—the old transaction and the landlord's name disappearing of course—but we think that a copy of the entry on the register simply handed to the purchaser, should be held conclusive evidence to the world that he was thenceforth the owner; fourth, that there should be an abatement of all mortgages without regard to priority, that is that these should be cut down to the same amount in the £1, to be paid on foot of them, all other debtors to be compelled to accept a smaller composition on their debts, but the same percentage on them as between themselves;⁵ fifth, the compulsory sale of absentee's estates, even on the liberal terms of the Bill; sixth, an executive responsible to a parliament in Ireland for collecting the instalments and remitting them to the Imperial Exchequer. Without such an executive the administration of the measure is foredoomed to failure. This, however, is too important a question to be left without full discussion.

These points are all of interest and importance, but of different degrees of both. For instance, the last matter mentioned opens up the whole question of government by Boards which has been the bane of Ireland. Taking up the question of requiring mortgages to abate—a question which goes to the root of the financial propositions of the Bill—it strikes one at the first blush that this is a serious violation of the rights of contract; that the mortgagees are entitled to sit on their securities, as the saying is, no matter what may happen to the landlords is, of course, the fact. But to this the answer is twofold. Of course they are entitled to rely on their securities in a normal condition of affairs, just as all classes of debtors have a right to be paid in full; but first, the land which is their primary security has been depreciated in value—indeed they look upon it as their sole security—and it is at least conceivable that

⁴ We assume such permission will be required, as the ruling authority preserves a perpetual interest to the extent of one-eighth of the value of the holding.

⁵ For instance, a composition of fifty per cent. for all mortgages and of twenty-five per cent. for all other debts. Annuities and other charges on the inheritance to rank as mortgages to strangers.

it may become still further depreciated until it affords no security whatever. A composition is such a case would only be a parallel to the settlement of an arranging trader under the Court of Bankruptcy. We are speaking now of the effect of competition from outside producing an effect on the mortgagee's security similar to the unexpected rivalry which would prevent an honest trader paying 20 shillings to the £1. In this the tenant is no factor at all. The fair rent totes quoties ad infinitum conceivably reducible is the bone of contention between the mortgagees and the mortgagor, that is all that mortgagees and mortgagor can look at. But the contract between the mortgagees themselves and the owner is already seriously affected by priorities; so that although the owner has contracted to pay all present incumbrances in full, he cannot fulfil his contract with all of them because the puisne incumbrancers will not be reached; so what then becomes of the sacred immutability of contracts? Even priority itself is a mere convention as the doctrine of "tacking" would show. We want to present in this most important social and political question a proposition that can hardly be disputed, namely, that a prior incumbrancer must not be regarded as essentially possessing a better title in conscience to be paid in full than a junior one, any more than a simple contract creditor of four years' standing has a preferential title to one of one year's standing. We are not concerned with the wording of the application of our principle; it is enough that it be reasonable in the present instance. We say there is no distinction in essence between mortgages and simple contract debts. They are all debts; so that any preference that one has above the other is due to artificial conventions, which must give way when circumstances of public policy require it. What the Chief Secretary's Bill is really doing is to provide payment in full to a particular class of creditors, who have no special equities, say such as salvage creditors, but who advanced their money to men notoriously extravagant; and in addition to make a bankrupt owner a solvent man at the expense of the tenants, the financial security of Ireland, and through the credit of the empire at large. This view has not been presented by any one of the able critics who have discussed the question of the proposed change in the tenure of Irish land. In trade, debts are lost every day, and no one seems to think such losses ground for compensation through the instrumentality of Acts of Parliament. When drawn out in this way, the immunity from all the accidents affecting the life of man, and the interest of nations demanded on behalf of one or two senior encumbrancers, seems to be founded on a superstition not tolerable to an enlightened age. It altogether arises from habits of thought under the dominion of which people suppose there is something peculiarly

sacred in landed property. We shall say a word about this sacrosanct entity from a purely legal as distinguished from an economic point of view, although the latter has irresistible force when properly stated.

The meaning of all this is that the ownership of land is the safeguard for the existence of an aristocracy. This in the last analysis is the foundation for the inviolable sanctity of debts secured on the inheritance, just as though they in some manner partook of the nobility of the great Barons, for whom property in land was appropriated from the public. To provide that land shall descend to the latest generations of an owner is the persistent idea that there shall be a class superior to all other classes, separated from all others by a dominion over a natural agent on which the existence of all other classes depends. From this influence, no one escapes. It may be that the Radical thinks that the power of individuals to control the distribution, because they control the production of the means of life should not be left in their hands, but he bows before the great man of the place.⁶

Even the difficulties attending the sale of land contribute to its possession by a comparatively small number of persons; and this creation of a monopoly is naturally said to be a great restraint on production, and this by the economists who speak of such men with praise as the ideal farmers when they employ capital in that industry. That the splitting up of great properties will come about by natural causes in England is inevitable; and this is only another way of saying that great properties are a restraint on production. What has been done, and what is about to be done, in Ireland is nothing more than the anticipation of the change to take place in England, unless, indeed, land owners desire a bloody revolution,⁷ an anticipation due to the different conditions under which the relations of landlord and tenant in the two countries were carried on; differences not adequately dealt with either by the Chief Secretary or Mr. Balfour in their speeches to the House, but which have forced recognition in the teeth of hostile forces.

That the nature of property in land is in the highest degree artificial, a moment's thought will satisfy any reader. We mean to prove this, to enforce our contention that it is not the Irish tenants who should pay a high price for what is really their own, but it is the landlord's creditors who should abate in order that he might possess some surplus. This species of property had its origin in a personal relation between the sovereign and his follower. At first the land

⁶ We are told that the manner in which a stalwart radical, "my Lord's" the chance peer he runs against is most edifying.

⁷ The communication of their old burdens under the tenure of chivalry was compassed by a bloodless revolution. We are not a Radical, but——!

could not be alienated at all. The personal services of the Knight were the consideration for the grant, there was not that privity of understanding between the grantor and an alienee of the grantee which would secure to the grantor the services to be performed by his grantee. The relation was judged to be too remote with the alienee. So much was the idea of this service rooted in the nature of tenure that a female heir, it was contended, could not succeed her father in the possession, she could not render the services annexed to the estate. At least this lead to one feudal incident the sovereign's control of such an heir, a control extending even to her right to marry the husband of her choice; and we know that this incident was, with wardship, one of the burdens of feudal tenure when the military tenures were abolished under the Stewarts.

So far this shows that the grantee of land was at one time a servant holding by virtue of office, even as a coachman or a gardener has his house by his service to-day; that the continuance in possession depended on the performance of the service, as in the case of coachman or gardener. In its essence it was property of no higher sanction than the laborer's in his cottage and plot as long as the latter discharged the duties annexed to his tenure. The latter was a serf, no doubt, on the land of his lord, that is, his *employer*, but the employer was a vassal on the land of the King, notwithstanding his manors and lordships and retainers. Both words mean the same status, that is the degree of servant, and there is warrant for the opinion that tenure so depends on status that it cannot be a contract simply.⁸

By the power of the Great Barons, the statute so well known to real property lawyers—the statute *de donis conditionalibus*—was passed to defeat a right which had gradually accrued to the descendants of the King's grantees themselves, in other words, a right which had accrued to themselves. That is to say, the exercise of the power of alienation, by way of what among the lessees of terms of years was called subletting, was confirmed to them, a form of sub-demeise, with which we are familiar in Ireland in the rise of those middlemen, on whose heads so many censures have fallen. The feudal alienation came about by a process known as granting a sub-fee for services to the Lord granting it, on the analogy of the latter's services to the King, his own immediate superior. As we had in Ireland middlemen under middlemen, in descending series, down to the occupier or cottier tenant of an acre of bog, so there came to pass descending grades of subinfeudation from the

⁸ The condition of the clansman was one of status under the Breton Laws. He could not be alienated from the tribal land (ordinarily), but his possession was frequently changed by redistributions.

Baron who rode out with several thousand horsemen to the Knight who could hardly muster the "furniture" of a lance; namely, the five men who were to be the quota in his superior's train.

In other words, to prevent the alienation of land, which they themselves had been doing, or at least aiming to obtain the power of doing for centuries, the nobles passed the statute we have just mentioned, the effect of which was to tie up in perpetuity in their own hands and the hands of their descendants the lands they had been in the habit of alienating, in the manner we have described. In connection with this transaction, there is a fact which still further goes to show the purely artificial character of landed property for which in the Chief Secretary's measure, and in the language of the various speakers in the Landlords' Convention at Dublin and the articles of all writers on that side of the question without exception a nature is claimed, so solemn, awful and inviolable, that nothing in social and political institutions can compare with, that nothing in great religions can go beyond. When royal acknowledgment established the growing custom of subinfeudation by making it a right of quasi-alienation, the Barons passed this statute to prevent alienation. There was no doubt when confirmed, the accompaniment of the restriction that all the sub-fees should be held immediately by the King instead of mediately through the Lord, was a great blow to the political power of the Barons; but this alternation of blowing hot and cold with regard to the tenure of land by the landlords themselves, sweeps away all foundation for the idea of unchangeableness in that relation. The inconsistencies in the formation of this kind of property are not yet exhausted. We only wonder that the satirist has not employed his gift upon the subject, he has not spared religion, but landed property is beyond him. We understand now that after the Statute de Donis estates tail could not be alienated; they were held in an iron frame from which there was no breaking forth; from the sky to the centre of the earth, certain men owned all; estates should go down the channel of descent according to the intention of the grantor or settlor, for he ruled Parliament. This was the law governing settled lands, that is, all lands not in the Dead Hand of Corporations,⁹ in England from Edward I. to Edward IV., a period of nearly two hundred years, when at length the strictness of the law was relaxed in the most extraordinary manner, by one of those judicial decisions which have made the Common Law. Taltarum's case is that by which the breach was made. The transfer of the estate to a purchaser could on the authority of that case thenceforth be affected in a cumbrous

⁹ We are speaking of lands the root of the title to which was the tenure of chivalry.

and most absurd way, by means of what was called a Recovery—a process said by recent writers to be as effectual¹⁰ as the Modern Real Property Statutes in enabling a tenant in tail or a tenant for life jointly with him to bar the issue in tail. The next turn in the wheel was again to restrain alienation from the family of a purchaser, that is to say it was a reversal of the previous Revolution by Taltarum's Case, which was a reversal of the Statute De Donis' Policy, and so to ensure it to the purchaser's remote descendants. This was accomplished by the invention of the system of settlements which, with some modifications has come down from the close of the sixteenth century; and which, like other discoveries, or the extraction of principles or doctrines of remarkable subtilty, evinces the keenness of intellect of those lawyers. The Recovery which it was decided took the supposed effect in Taltarum's case, that is the effect of conveying the title and possession to the "defendant," or plaintiff from the tenant in tail, was nothing but a mock action by which all the precedents and customs of two centuries were cast to the winds, by a judicial decision, treating a figment as a reality. Again, invention of modern settlements which is mainly based on a highly technical distinction, affords another step in the factitious growth of this species of property. Taking hold of what is included in a feoffment or the granting of an estate in fee, by livery of seisin and the constructive possession given by a term of years, and splitting them in sunder by a most unexpected application of a statute, namely, the Statute of Uses, we have the essence of the modern settlement. Actually defeating the very purpose for which that statute was passed the doctrine of trusts reestablishes estates tail as before Taltarum's case, and it is on this invention the title to almost all the estates in England rests to-day. Nothing more artificial can be dreamt of than all we have been sketching. By means of this system land is constituted the exceptional property to which every one bows; and it is tied up to-day almost as it was after the Statute de Donis, and with this mischievous effect that improvement in the productive qualities of the soil is attended with difficulty and with this greater evil that vast tracts which might be turned to the use of the public are kept in parks or for the preservation of the more expensive and higher kinds of game, such as pheasants and deer, while food is imported from every continent at the expense of the working classes. It is really irritating when one thinks of it, that a system so highly artificial as that by which the species of property we have been considering has been

¹⁰ This must be questioned. The principle of breaking down the Statute de Donis was not established absolutely. In Henry VII.'s reign the judges held that the donor of an estate-tail might restrain the tenant from suffering a recovery.

treated should be deemed to confer rights to which all other private rights and the responsibilities of government must bow. From the care that is taken of the claims of those Irish landlords and the mortgagees behind them, one would fancy that the tranquility of Ireland and the stability of the empire are but minor considerations, those claims—lost, in fact perhaps, by the most equitable legislation ever enacted—but in the main and without a perhaps lost¹¹ by the action of economic forces—those claims we say—are paramount to all other interests.

From the Chief Secretary's description of them the Irish landlords in their day of tribulation would seem to be one of those august oligarchies passing from the daylight into the night of history with a sort of heroic grandeur in which they seem greater in death than life, if history and monumental injuries borne by the masses of the Irish people did not contradict him. These universal facts of suffering reveal themselves on the surface of their own country and proclaim themselves in distant lands as the sentence of the moral and material universe on the landlord. If we did not contradict him, one would suppose we meant it to go forth that the Irish landlords were an historic aristocracy like that of old France or England, like that of Spain, of all the German States, of every European country instead of being the descendants of the half insane, ignorant and low born sectaries that infested England in the seventeenth century.¹² Look at them, take the names up one by one, and will there be found in that Landlords' Convention of April last, except some few names, a name written in the story of Ireland or on the pages of the empire, except in some obscure connection with the country as an adventurer, a spy, a plunderer, a slayer of the people, each one of these it is who at the same time is boasting ad nauseam to government and the English people that in one or other of these capacities he subdued, or he preserved Ireland for England and therefore deserves that nation's thanks.

Why! read the names at the Convention the other day as we have said and with the exception of a few, you will fancy you are reading the muster-roll of one of Cromwell's regiments, and when you hear a Westropp you fancy it is one of the wild sergeants pouring out provincial English and the spirit on his hearers. In one of its lucid intervals the *Times* charged those landlords with having renounced their duties with foreheads of brass and hearts of iron. They are,

¹¹ Froude described government in Ireland as the rule of a despotic oligarchy tempered by assassination; we describe it as the government of insolent clerks.

¹² Lord Clare, so praised by Mr. Froude, speaks of the predecessors of these historic families in this way in the House of Lords in the Debate on the Union.

we declare they are governed by the spirit of the No Popery laws when judges said they supposed there was no such being as a Roman Catholic in Ireland, a spirit not in any sense a spirit of coercive legislation for religion indeed, but a spirit of conquest and spoliation. This spirit would not desire the Irish to become Protestants, because then they would have acquired the rights of citizens, a thing which no descendant of a Puritan peasant could allow.¹³

Well as we have said all along we wish the measure to pass, but what is more to the purpose that it will achieve the end for which its introducer hopes. We give to the Chief Secretary credit for the desire to do all that he can to make the people if not prosperous, at least comfortable. We have said we are not looking for the dawn of a paradise in which to use Doctor Traills' metaphor at the Landlords' Convention, the Lion and the Lamb will lie down together. Indeed his own moderation would almost be a guarantee for the impossible in conciliation, but hopes have been blasted before now. We are glad that the lying down in question was not performed by one animal getting inside the other, though Dr. Traill seemed to think something of this kind was the method, but was too astute to say which of the two was the enclosing animal. He wished it to be inferred that the landlords played the part of the "valiant lion" in any case. He takes his choice, though the tenants pay the money. At the same time we can understand that even Irish landlords may cease to roar them otherwise than gently as any sucking dove, notwithstanding such belligerencies as flashed from Colonel O'Callaghan Westropp and Mr. MacNamara at the convention when they will have nothing to roar about, when they will not even possess the excuse of holding up the bag of the mendicant to England. They will realize there will be no ground for thinking that the tenants who increased the value of their property ninefold in a half dozen generations,¹⁴ are robbers when these will have ceased to be tenants, and so have lost the opportunity for plunder. Our own private opinion is that the robbery was on the other side, but the Government, thinks not, and hence a scheme to purchase at an extravagant price.

Notwithstanding the invectives pronounced on the Act of 1881 by Mr. Balfour, Sir Alexander Miller and so many wise men, notwithstanding that it is held forth as the torch of civil war and the signal for universal robbery by so many "oratorical" men, we are sure it has done one good thing, and this one good thing draws to it

¹³ For this view of the intention and employment of the No Popery laws we have the authority of Edmund Burke, himself a Protestant, and Arthur Young, an Englishman.

¹⁴ In 1729 the valuation of all Ireland was less than £2,000,000. In 1875 the rental alone of lands outside towns was £17,000,000.

great moral influences; it has enabled the peasant to walk with head erect instead of bending to the earth before his honor, the landlord, some fellow descended from a Fight-the-Good-Fight-of-Faith-Wheeler or a Bind-their-Kings-in-Chains-and-their-Nobles-in-Fetters-Stafford or his right hand man, the agent, and fawning on every subordinate in the employment of the estate, bribing each one of the greedy creatures that devoured what the landlord and the agent passed over in the reckoning. "I never could stand straight in the presence of a great man," said Sir Pertinax MacSycophant to his son, in order to impress on him the duty of servility when profitable. The Irish peasant is no longer compelled by a sickening sense as of some calamity hanging over him which drives him to crawl to the feet of persons such as these, that abasement which is the last fall, that from which man can rise no more. After more than two centuries of degradation and suffering such as no imagination could body forth, the Irish peasant owes to William Ewart Gladstone that he can bear himself like a man. What does the Chief Secretary mean by the dynastic wars fought in Ireland by the English regicides? What by the suffering of that "splendid aristocracy" of London tapsters, broken serving men, mad peasants from the Eastern countries, the cheats and bullies in the Parliament army? What does he mean by telling us of these an aristocracy? The first link from the chain was struck off in 1870, other links in 1881 by the great measure of which we have spoken a little. Unfortunately, circumstances were too strong for justice even inspired by genius, bad seasons, the importation of cattle, corn and other produce of the farm prevented the fair trial of the measure. Let the peasant for whom Mr. Gladstone has done so much and on whose behalf he has written principles in English public life that cannot be repudiated live in the hope that in due time, and perhaps a near time, will come the great consummation of all, the right to administer his own affairs. We think the present measure may be a glimmer of the dawning of that era.

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THE CONSERVATION OF ENERGY AND VOLUNTARY ACTIVITY.

THE subject of this paper, "The Conservation of Energy and Voluntary Activity," constitutes one of the most difficult and perhaps the most important problems that the Christian Psychologist has to face. The Determinists declare that in the demonstration of the quantitative constancy of cosmic energy, voluntary activity and freewill have received a blow from which they will never recover. In fact some doubt has been thrown on the very existence of liberty, as we conceive it, and we are told that if there be any agencies, which were hitherto considered as outside the material universe, they either do no work at all, or what we call the human soul, God, and spiritual beings are nothing else than material agents subject to the inevitable laws that rule material creation. The spirituality of the human soul disappears in this materialistic onslaught, the being of God is dragged down to the level of material phenomena, and human freedom becomes an impossibility. The Determinist is not yet satisfied. If he grants the spirituality of the soul, he urges that it is a force outside the material universe, and as the sum of cosmic energy remains ever the same, the soul never acts upon the body nor the body on the soul; they are but two parallel manifestations of the same substance. Man is a simple piece of mechanism which can indeed transform one kind of energy into another, but to act upon this energy, direct it or influence it in any way is for man impossible. He has no choice in the matter, he has no freedom, he belongs to the material universe and no amount of ingenuity on the part of the Christian Psychologist will raise him from his lowly position.

These are the leading difficulties that are raised against the traditional teaching which we all accept. It is not my intention to refute all these charges directly, were it even possible in the space allowed me. I shall confine myself directly to the reconciling of two principles, the truth of which I shall take for granted—that voluntary activity is not incompatible with the conservation of energy, nor is the latter in any way destructive of liberty. They act harmoniously together, either being preserved in its integrity without detriment to the other. I have selected this aspect of the subject for treatment, as it has not received among English Psychologists the prominence it deserves.

Let us begin in the old scholastic fashion by defining our terms. It does not require much observation to discover that bodies act on one another, and influence one another in various ways. By their

action, momentum is communicated to other bodies, which are thereby set in motion. In other words work is done. The capacity for doing work is called *Energy*. The *Energy*, then, of a body is its capacity for doing work, and is measured by the work which the body can do in changing to some standard state as regards its position and velocity. If, for instance, we place a stone on the edge of a projecting cliff, a touch will send it over the edge, and in its fall to the ground it can do work; for if we imagine it attached to another stone by a cord passing over a pulley fastened at the top, it, in its fall, will draw this other stone up. The falling stone has energy. The energy of a body which depends on its position is called *Potential Energy*. Thus a body suspended by a cord has potential energy. We need not impart any velocity to set it in motion; it will be quite sufficient to cut the cord; the motion which it acquires from the moment the cord is cut till it reaches the earth is the measure of its potential energy. The energy of a body which depends on its motion, as the energy of a flying bullet, is called *Kinetic or Actual Energy*. The energy of the body may change from potential to kinetic and from kinetic to potential. Thus the stone at the edge of the cliff has, in its state of rest, potential energy, but when it topples over it acquires motion in falling or kinetic energy, and the kinetic energy it has when it strikes the ground is equal to the potential energy it had when resting on the top of the cliff.

The quantity of cosmic energy always remains constant, and in the transition from one state to another no energy is lost or gained. A cannon ball flying through the air exhibits energy of motion; but when it strikes an obstacle it stops. The motion has apparently stopped also, but if we examine the obstacle and the ball, we shall find that this is not the case. The cannon ball and the obstacle it strikes have both been heated, and thus the motion of the ball has simply been transformed into a different kind of motion, which we recognize in the increased temperature of the obstacle and ball. We can thus enunciate the doctrine of the conservation of energy: "The total energy of any material system is a quantity which can neither be increased nor diminished, by any action between the parts of the system, though it may be transferred into any of the forms of which energy is susceptible." Into the enunciation of this doctrine there enter some terms that require a word of explanation. By a *material* system we mean, an aggregate of material points considered as a unity, subject to a moving force and capable under the influence of this force of doing work. The forces which act upon a system are twofold—internal and external—the former are those that result from the interaction of the parts that go to make up the system; the latter proceed from agents external to the system or out-

side of it. We may accept it, then, as an established truth that "The sum of the kinetic and potential energies of any isolated system of bodies remains constant," or in still more general terms, "The sum total of energy in the universe remains always the same."

This doctrine of the conservation of energy was primarily a physical doctrine, and has been developed in connection with the physical sciences, but it justifies the supposition that there may be a connection between living and non-living nature. Fortified by this suspicion, Biologists have worked hard to arrive at the truth; and though up to a short time ago man was considered by Physicists outside all material systems, and as man, outside the material universe, they are now justified, from the close analogy that exists between the phenomena exhibited by non-living and living nature, in placing him in a material system, where he is subjected, in a measure that can be proximately ascertained, to the energies of the material universe. It will be interesting to sketch briefly the process of observation and experiment which enabled Biologists to arrive at their conclusions. As we have seen, a body in motion when brought suddenly to a stand-still generates heat, and heat in turn under certain conditions generates motion. These two phenomena in connection with energy are incontestable facts, and if we find in living organisms parallel phenomena we shall be justified in extending our premises further still. Now the living organism also exhibits motion and heat, and hence physical energy whose quantity is stable must be correlated with other forms of energy, and it required but a single step to infer that the same energy controls the living and the non-living world. Hitherto living forces had been considered as standing apart from material creation, and distinct in themselves, but the formulation of the law of the *correlation of forces* induced Biologists to consider that the living organism might be looked upon as a machine, which is capable of converting energy from one form into another. Thus a steam engine is fed with fuel, in which there is stored energy under a certain form. The rays of the sun shining during the countless ages that are gone were seized upon by the growing plants and stored away in a potential form in the wood which afterwards became coal. This coal being placed in the furnace liberates its energy in the form of heat, this heat vaporizes the water, and the vapor produced, and collected under high pressure, is, by a mechanical contrivance, applied to the driving-wheel and results in the motion of the engine. Can the same facts not be verified of the living animal organism? It, too, is fed with food containing a store of energy, and all the energy exhibited by the living organism should be accounted for by the energy which was stored in the food, and conversely all the energy

stored away in the food should be found manifested by the living organism. If we admit the doctrine of the conservation of energy, this should, in theory at least, present no difficulty, but to prove it by experiment was no easy undertaking. Biologists, however, with an intense desire for truth, have not been deterred by the difficulties of experiment, and though the results have not been quite satisfactory they have gone far to prove that the doctrine of the conservation of energy has its place in living organisms. The result of these experiments may be thus stated: "The general income and outgo of the body as concerns matter and energy is such that the body must be regarded as a machine, which, like other machines, simply transforms energy without creating or destroying it. To this extent, at least, animals conform to the law of the conservation of energy and are veritable machines."¹ These machines are complicated and living, and, of course, different from mechanical contrivances, but in their working we find a striking analogy between them and a piece of mechanism.

If we trace the working of the living machine a little more in detail, we shall find an almost perfect analogy between the phenomena which it manifests and those of the steam engine, whose action we have already described. The living machine transforms food into energy, and the first factor in this transformation is *digestion*, which, by means of gastric juices stored in the organism, breaks up the molecular structure of the food, and produces changes which are quite familiar to the chemist. The food which is thus broken up is ready for a second process which is termed the *absorption of food* from the organ into the blood. The digested food passes down the alimentary canal in a soluble state in a purely mechanical fashion, by muscular action, and when it arrives at a certain point, it passes through the walls of the intestine into the blood. The force engaged in effecting this process is called osmosis. The next factor that comes into operation is the *circulatory system*. It is a device of nature for the distribution of the food or nutriment throughout the entire system. In the very centre of this system is a pump, which keeps the blood in motion. It pumps with rhythmic regularity, drawing the blood from one side and forcing it into the other. The blood in its passage through the intestine receives the food, then carries it to whatever part of the system needs it, and in its passage through the lungs it is charged with oxygen to make up for the waste that is continually occurring in the system.

The next process which must be taken into account is that of *respiration*. Oxygen is, as we know from experience, absolutely necessary for life, and consequently the living machine, if it is to live,

¹ The mechanism of life.—Conu p. 37.

requires oxygen. This is brought about by the circulatory system which exposes the blood, for an instant, to the air, in its passage through the lungs. The lungs contain an almost indefinite number of air cells, which are filled and emptied again by the action of the muscles of the thorax. The relation of the air in these cells to the blood is quite simple, as but a thin membrane separates them. There is a substance in the blood called haemoglobin, whose peculiar relations to oxygen are well known to the chemist. It unites chemically with oxygen under sufficient pressure, which if lessened, the union is broken up. The oxygen pressure in the air is sufficiently high to bring about this union, and the blood charged with oxygen is carried to whatever part of the system requires it.

There is still another process that needs a few words of explanation in tracing the law of the conservation of energy to its remotest bearings—*the process of the removal of waste*. In the steam engine the latent energy of the coal is liberated by oxidation. The oxygen of the air unites with the oxygen of the fuel and breaks it up into the simpler substances, carbonic dioxide, water and ash; and as the energy contained in the original fuel cannot be retained by the simpler compounds it escapes as heat. The same process, with some differences in detail, obtains in the living machine. The food after reaching the cell is united with the oxygen, and broken up into simpler compounds; the contained energy is liberated and escapes as motion, nerve impulse, nerve wave, and muscular action. The wastes are removed by the excretory system.

There still remains a task for the Biologist. When he applies mechanical principles and material laws to the nervous system, he is confronted with difficulties on every side, and so little progress has he made in this department of biology, as far at least as cosmic energy is concerned, that we can gather no well-established data on the point. On the subject of sensation there is some grounds for arriving at valuable conclusions, as regards the auditory and optic nerves, and so far there is probably a correlation between cosmic and nervous energy; but the Biologist can go no further; he has reached, we fancy, the limit of his science, valuable though his contribution to the world of knowledge has been. Mental phenomena defy all human contrivance to measure them or analyze them. They are spiritual and can be but measured by themselves.

You will have noticed that these phenomena we have been describing are, in the main, phenomena of the organic life in man. The law of the conservation of energy may be thus far traced and verified, and Psychologists have no difficulty in granting that in this measure it is manifested in the living machine. In the process of operation of the living machine we notice four distinct factors.

There is first the food that is consumed; secondly, the physico-chemical forces by which this food is broken up and its stored energy liberated; thirdly, there is some mysterious force, vital force we may call it, underlying these phenomena, which directs them, uses them, qualifies them, and produces from them the human body; there is fourthly the body itself resulting from their conjoint action. Physical science can tell us all about the food that is consumed, it can explain how this food is broken up in virtue of chemical affinity, and it can analyze the product of these forces and energies that have been called into action; but that hidden vital force, that mysterious energy, which these forces in their action, suppose and condition in the living organism, which directs them and qualifies them, and effects an ordered change and which increases the organized body, escapes the observation and eludes the grasp of physical science. The progress that has been made in recent years in the study of the organic cell and protoplasm held out a hope that even the vital factor would give up its secrets in the interests of science; but scientists must never be too hasty in formulating a conclusion that their premises do not warrant. They have gone so far as to say that life is not a distinct force, but simply a name given to that highly complex chemical compound protoplasm. I suppose we may look forward to the day when we shall have beeves turned out to order and labeled "made in Germany." It is a specious method of argument, but one that is altogether fallacious, to conclude from the fact that certain highly complex compounds are found in intimate association with life, that life itself arises from the complex combination of chemical elements. When the chemist or Biologist is able to make a piece of living protoplasm, we shall believe that life is not a distinct force, but this has yet to be done.

II.

It is evident then that the phenomena we have been tracing are, in man, associated with a vital principle, and, in their operation, condition a vital principle, which must be outside and independent of them. In man this vital principle is a subsisting and immaterial reality, as we can easily gather from its acts, which are independent of matter—spiritual and unextended in themselves. It is outside all material systems and emerges from the material universe. It exists independently of matter, and its specific acts matter could never produce. In man this vital principle is the soul. It is a reality that subsists of itself, independently of any co-existent material principle. It, nevertheless, has a destination to matter, and with the body constitutes a substantial unity. It is, in scholastic

terminology, the form of the body, and exists on the confines of material and spiritual substances, and is the connecting link between the material and the spiritual world. It supplies in man a three-fold function or rather it is the principle of a threefold life. Man grows like the plant; he is a sentient being like the animal, and he surpasses both, in the fact that he can understand and will. The soul in man is the reality that this threefold life conditions. As I said, the soul exists outside the material universe, and this gives rise to the scruples of determinists, who affirm that since the soul of man is external to the material universe, it does not act upon matter. Otherwise it would do work, and the demonstrated principle of the constancy of cosmic energy would fall to the ground.

Above then the material elements of the body, above the plant life and the sentient life in man, there exist intelligence and will which constitute the intellectual life. It consists in a magisterial and directive power which man possesses over himself in all his acts. The act of intelligence or understanding is that operation which apprehends the essences of things, as truth, justice and beauty, which distinguishes the true from the false, which apprehends spiritual things in themselves, and material things, abstracted from all their individual conditions. The act of the will or voluntary activity is that operation, in man, which has for its object all good, whether sensible or immaterial, and which aspires to the supreme good itself. The faculty which gives man possession and dominion of himself is called free will, and it enables man to act or remain passive, to do this or that, in any given circumstances whatsoever. We may then define the intellectual life in man—"a life which is exercised under the dominion of intelligence and will, in complete possession of itself."

Since the human soul is a spiritual principle, does it in reality act upon the body? It seems strange that such a question should be possible. To us there is nothing more evident. We make up our mind to move from one place to another, our body gets into motion consequent on our determination and "there's an end of it." Our consciousness tells us, and convinces us beyond all possibility of intellectual dissent that it is so, and we should wreck the fundamental criterion which is the measure of our best convictions did we deny it. This is not all. Materialistic science has given us a handle against itself, and has supplied definite results that prove the interaction of the soul and the body. Thought, says Moleschott,² makes its influence profoundly felt in the material states of the body. It is well known that the nerves are the theatre of those phenomena which often produce muscular contraction and consequently move-

² Cf. *Kreislauf des Lebens*, p. 153.

ment. A discovery that we owe to Bois-Raymond shows that there exists in all the nerves an electric current, and it enables us to bring to light interesting relations between thought and material phenomena which take place in us. Bois-Raymond has proved that all nervous activity, whether as movement in the muscles, or as sensation or intellectual activity in the brain, is accompanied by a modification of the electric current in the nerves and a diminution of its intensity. The same distinguished scientist further adds that the electric current in the nerves effects also a chemical transformation of the nerve substance, and a sustained intellectual effort, he continues, is followed by the pangs of hunger and a rise in temperature. These demonstrated facts prove that the soul acts upon the body, and that it enters into composition with the body, so that from the two there results a substantial unity which forms the radical principle of human operation. The soul is the form of the body and enters into substantial union with it.

III.

We have already seen that the soul in man is the principle of a threefold life—of organic life, sentient life and intellectual life. These three forms of vitality arising from a single principle are correlated with other forms of life, and in their operation have special bearings on one another, and tend, each in its own determined measure, to a definite end. It is absolutely necessary to make these points clear, if we would grasp the principles by which the central difficulty is solved. We have seen that the organic life in man is analogous with the organic life in plants and inferior animals. It is of course more complicated in man than in the plant, and more perfect than in the animal, but the phenomena of life in all bear a strict resemblance to one another. S. Thomas has no hesitation in affirming that the sensitive life in man and in the animal is of the very same nature, with a slight difference however which is foreign to the sentient life itself. “The *vis cogitativa* and memory in man derive their superiority over the *vis aestimativa* and memory in animals not from the fact that they belong to the sensible part of man’s nature, but from a certain alliance and kinship with reason in their interaction with it.”³ “We must observe,” says the great Doctor, in another place, “that as far as sensible forms are concerned, there is no difference between man and the animal; they experience in fact the same impression of sensible things on the senses.”⁴ The body, animated by the soul is the subject of the organic and sentient

³ I. p., q. 78, a. 4, ad. 5.

⁴ *Ibidem*, q. 78, a. 4.

life, whereas the intellectual life is subjected in the soul alone. The exercise of all the faculties depends from the soul as their principle, though all are not subjected in it.⁵ There is a distinct ordination in the faculties of the soul. The organic life is ordered to the sentient, as the sentient is ordered to the intellectual life.

We find in the plant, in the animal and in man an ordination to an end that leaves them no choice. To use the words of the Angelic Doctor an inclination or a certain destination accompanies every form.⁶ The plant grows and develops in a given way under laws whose influence it cannot escape; the animal is dominated by instinct, and its field of choice is restricted to the narrowest limits; man of necessity desires happiness, he has a transcendental destination to it which he cannot elude, but his field of choice is boundless. Wherever we find a participation of this ordered end, we shall find an inclination towards it, and its apprehension elicits desire and movement. "In the animal movement follows the appetite inevitably, and the appetite follows apprehension."⁷ When the animal sees anything that promotes his good or ministers to his pleasure, he at once sets about procuring it. He has no choice in the matter, he is not free. In man's sentient life, we find the same phenomena, but in him the movements of the sentient life are subject to reason, which exercises a controlling and directing power over man's sentient acts. "The inferior appetite is obedient to reason or intelligence," says S. Thomas, "which moves and directs it by means of the cogitative faculty, and to the will, the moving power, which moves it by means of the intelligence."⁸ The sensitive appetite is also subject to the will, in its acts, which the motive power of the will produces. In other animals movement follows the stimulus of the appetite, because there is not in them a superior restraining force. But man is not moved by the inferior appetites immediately, because he is governed by his will, which is the superior moving faculty.⁹ We find then, according to the Psychology of S. Thomas, that the movements of man's sentient life are subject to the government of reason and will. All of these have a natural destination to an end, and consequently to the particular good which participates in the nature of that end. There is a difference however between man and the animal. The animal is moved necessarily to the good which elicits the desire of his appetite; but man, being free, and governed by reason and will, has in himself a prohibitive or restraining force, which holds the lower appetites in subjection, and allows them to

⁵ Cf. q. 77, aa. 6 and 7.

⁶ Ibidem, q. 80, a. 1.

⁷ Ibidem, q. 81, a. 3.

⁸ I. p., q. 81, a. 1.

⁹ Ibidem, a. 3.

act only in accordance with the dictates of reason. And though our intellectual knowledge depends, in considerable measure, from the knowledge of the senses, the will can act on the inspiration of an intellectual judgment and reject the dictates of sense and passion. The will in man has not only the power to command and direct the acts of the sentient life; it has further the power to move and direct itself. We can distinguish in the will a threefold act of volition. First of all there is an essential or natural propensity which is nothing else than a tendency to an object that will conduce to its perfection; there is, in the second place, an instinctive act of volition, which is a propensity or tendency following on the apprehension of an object as good, and there is still further the rational volition of the will, which follows the deliberate act of reason, and is the tendency to an object presented as desirable by a deliberate act of the mind.

Though we have distinguished the acts of the sentient life in man from those of his intellectual and volitional life, we must not imagine that they originate in or proceed from different principles. The soul is the principle of every act of man. S. Thomas tells us that in human acts those of the inferior or sentient life bear to those of the superior or intellectual life the relation of matter to form, so that the act of the sentient life being commanded by the will, and elicited from the sentient faculties is a single human act, just as the body and soul which is its form, in their substantial union, constitute a single individual man. This would not be verified if the sentient life in man were not ordered to the intellectual and volitional life; being, however, ordered to one another, from whichever source the act proceeds, whether from the sentient or from the intellectual faculties, it is a single individual act.¹⁰

There is in man a single individual life, arising from a simple and spiritual substance, which supplies the functions of a threefold life. This principle is outside the material universe, it is immaterial and master of itself, and, as we have seen, acts upon the body and influences it. We have to reconcile two facts—the quantitative energy of the material universe is constant and invariable, and it consequently excludes the action of all forces outside the material universe. We have a second fact—the soul of man is a force outside the universe, it acts upon the body which belongs to the material system, and liberates its potential energy which results in motion. The first of these facts is solidly established by experiment; it is the result of observation we must admit, but it is a fact that we have to admit, since it has not yet been disproved. The second fact rests on still stronger evidence; it is witnessed to by our internal consciousness,

¹⁰ Cf. 1, 2, q. 17, a. 4.

which is in complete agreement with the dogmas of physical science. In reconciling these two facts, while preserving the truth of both intact, many solutions have been offered, most of which are extremely unsatisfactory.

IV.

The first solution that we have to consider opens up a very simple and expeditious way of getting rid of all difficulties. It denies point blank the truth of the doctrine of the conservation of energy and asserts loudly that it is not proved. This solution is inevitable to its authors, because, according to them the human will in acting on the body does work which of necessity adds to the sum of cosmic energy. Since then the will is outside the material universe, and its action on the body is certain, the sum total of the energy in the material universe is not constant. We grant willingly that the quantitative constancy of cosmic energy is an empirical fact, and has not the guarantee of metaphysical certainty, but it is physically certain and has the force of a physical law. It is the duty of every Philosopher to accept it till it has been disproved. That the will in acting on the body does work is defended by the argument that consciousness witnesses to the fact. It is quite true we are conscious that the will acts on the body in changing its potential energy to kinetic energy, but *how* it acts our consciousness does not tell us, and this is precisely the point at issue. We may then dismiss the first solution as unsatisfactory.

Freycinet,¹¹ a distinguished French scientist, gives us a simple solution, as he himself terms it. The constancy, he says, of energy shall not be violated, as regards quantity, if man in all his acts—even those that are voluntary, effects an exact equilibrium between the energies outside himself and the work which he does; it seems that this is what actually does happen. Man is a machine, into which substances pass and are consumed, and which retains the energies necessary for its activity. Liberty or voluntary activity adds nothing to the fund of physical energies; it is simply an episode in their transformation. This solution is simple indeed, but it is superficial and useless. In the first place it advocates, as far as one can gather, ultra-dualism, and the theory of psycho-physical parallelism according to which the union between soul and body is not substantial but only accidental. We all know that man has, at all times, a fund of potential energy under his control, but the question is, does all the energy man calls into play and expends come out of this fund and from it only? It is quite clear that the question at issue remains

¹¹ Cf. *Essais sur la philosophie des sciences*—appendice.

untouched. One thing, however, that the distinguished scientist makes clear is that all the actual energy expended in the external actions of man is nothing else—under another form, of course—than the potential energy stored in the organism.

Mathematicians have offered us several solutions, but these are also unsatisfactory and leave the difficulty exactly as they found it. They tell us that all motion in the universe is determined and unchangeable in its existence, in its velocity, and in its intensity, but this is not the case with regard to its direction, and a force may act upon another while in motion and do no work, because it acts at right angles to the direction in which the force is moving, and it may alter this direction indefinitely. The human will, they tell us, is one of these directing forces; it modifies the direction of the molecular movements in the nerve centres, and the external movements of the body, without doing any work whatever. Here, mathematicians assure us, is the solution of the difficulty. It is sufficiently easy to indicate the weak points in this line of argument. The directing force, in the solution, pre-supposes the existence of the force which it directs. Now the will must have the initiative in all its acts, otherwise its liberty is impossible, and all human responsibility disappears. Our consciousness tells us that the will not merely directs the force and motion, but reduces it from a state of potentiality to act. We conceive free-will as something which initiates, something which is adequately determined neither by material circumstances nor by any intellectual conditions. In the solution which we have just given free will and voluntary activity lose their true meaning and hence we must reject it.

In an article in the *Revue Catholique* of 1884, Mgr. Mercier, the distinguished Philosopher and Professor of Louvain, published an article on the solution of this problem based on scholastic principles. The constancy of energy, he says, cannot be denied; but all the attempts to reconcile this principle with moral liberty have failed, because all admit or suppose that the will is the source of kinetic movement. This is altogether opposed to Thomistic teaching. The principle which S. Thomas lays down for the specific distinction of the powers of the soul does not allow us to identify the will with the locomotive powers; consequently the will does no work, and adds nothing to the sum of cosmic energy. The potential forces, he tells us, are actualized by the final cause, and in man and animals by the object which solicits the sentient and intellectual faculties, and these in turn command movement. Mgr. Mercier will not allow that the will, in the process of actualizing the potential energy, is an efficient cause, but it is a formal cause, and is the *sufficient reason* of the change of energy from a potential to a kinetic state.

It is hard to see that this solution is much better than those we have been discussing. Exterior objects are not of themselves sufficient for the actuation of a free principle; that of itself is indetermined, and to say that the will is not an efficient cause in originating or initiating locomotion is to go against the doctrine of S. Thomas,¹² which Mgr. Mercier avowedly advocates, and is also opposed to common sense and the dictates of conscience. If volition is not the efficient cause of the transition from the state of potentiality to act, but the formal cause, this transition should be formally a volition, and every volition should be formally a change in the nerve substance, where the first transition is effected. This I am sure the distinguished Philosopher would be the last to admit.

V.

The attempted solutions that we have been discussing have had one advantage. They have brought the difficulty clearly before us and have enabled us to state it in the clearest terms. We shall not make an attempt to solve it. Everybody admits that the energy man exhibits has been stored away in a potential form in the organism. He takes food which is transformed into energy and conserved in the various organs of the body, awaiting some force to effect the change from its potential state to actual motion. What we want is a force that can bring about this change and actualize this energy without adding anything to its constant quantity. If we can show that the will of man is capable of reducing the potential energy stored up in the human organism to act, without doing any work, we shall have solved the difficulty. We have seen that the sentient and intellectual faculties in man have a destination to an object outside themselves, which leaves them no choice. The will is essentially ordained to the Supreme Good, and it cannot but choose to strive to obtain it; the intellect is essentially ordained to the first principles of truth, and it, of necessity, assents to them; the sentient faculties are essentially ordained to material good, though they are under the domain of intellect and will. All objects that participate in the nature of first principles and Supreme Good have a moral power to solicit the faculties to act. Though each of the faculties of the soul has its particular object, all of them have their principle in the soul; they are ordered one to another, the intellect and the will obtaining the place of command. The body itself is informed by the soul, and from their substantial union there results a composite living being, in which is stored under a potential form all the energy that is manifested in human life.

¹² *Contra Gentes* II., cap. 16; III., cap. 23.

The act of the will or volition moves all the faculties of the willing subject, for such is the natural connection of the faculties of the soul, that when one acts all the others respond by natural sympathy, and especially if the faculty that acts be supreme. And in fact we know from experience that there is no act of the will to which the other faculties of the soul do not in some measure respond, even the forces of organic life. This is particularly the case when the act of the will is intense, or the mind is violently disturbed; there is then a complete change in the whole man. When Baltassar saw the writing on the wall, Daniel tells us the effect it had on him: "Then was the king's countenance changed and his thoughts troubled him, and the joints of his loins were loosed and his knees struck one against the other."¹³ There is in man the potential energies of life stored away in the living organism, and since this life has a destination to something outside itself which solicits it to act, if it is to withstand this solicitation and remain master of itself, there must be some counteracting principle to keep it in possession of itself. S. Thomas tells us that the animal is moved by the propensities of the appetite; not so man, because the appetite in him obeys and is subject to the will. This counteracting principle in man is the will, and it maintains the other faculties, if I may use the term, in a state of equilibrium. It not merely restrains the faculties that are subject to it and moves them, but it moves itself. It is a force outside the material universe and united to it in the most perfect of unions, since the soul, of which the will is the moving faculty, is the form of the body. How does the soul move the body? The soul can act upon itself. It moves itself, and in moving itself it reduces the potential energies of life to act, because the life to which these energies belong is the life of the soul and the body since the soul is the form of the body. In actualizing the potential energies of life, the soul does no work since it is outside the material universe and acts upon itself. We may state the argument in other words. The soul, as the principle of intellect and will, acts upon the soul as the form of the body, and reduces, in accordance with ascertained physical laws, the potential energies of life to act.¹⁴

All the conditions that the problem demands are fulfilled. In the first place we have the destination to an object and the propensity to obtain it, in the sentient life, in the intellectual life, and in the voluntary life. We have objects that solicit the faculties and move them, not by any physical force, but by a moral force, or in the order of a final cause. We have then the subjective propensities, and the objective conditions required for action or movement, but

¹³ Dan. v., 6.

¹⁴ Cf. *Revue Thomiste*, Mai, 1897.

these are ruled by an extra-cosmic force which enters into union with them, is their principle, and fulfils the conditions required for organic, sentient and intellectual life, holding them in check, and counteracting their natural propensities to act. It has the power of moving itself, and being the seat and principle of life, all the phenomena of life respond. It has under its command the potential energies of life, and can use them at will. It does no work. As the form of the body it is merely the principle that the potential energy conditions in its state of rest, as a body at rest conditions the plane on which it reposes. As intellect and will it does no work because being an extra-cosmic principle and acting upon itself it does not interfere with the constant quantity of cosmic energy. The liberty of the will is safeguarded, because it has the initiative in all its own acts, in all the acts of the inferior nature and it dominates them. The doctrine then of the conservation of energy is by no means opposed to voluntary activity, nor is the latter in any way destructive of the quantitative constancy of energy. We find them in intimate union, either preserving its integrity without affecting the integrity of the other. They act in complete harmony, and we are justified in holding still that there is no antagonism between the conclusions of physical science and those of Christian Psychology.

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Scientific Chronicle.

MODERN SCIENCE AND CREATIVE POWER.

Professor Henslow recently delivered a lecture on "Present-Day Rationalism" in University College, London. During the course of the lecture the Professor stated that modern science neither affirms nor denies creative power in the origin of life. In reply Lord Kelvin (Sir William Thomson) stated that science compels us to accept a creating and directing Power as an article of belief.

As Mr. Knowles, the editor of the *Nineteenth Century*, has been fortunate enough to obtain an authentic statement from Lord Kelvin's own hand, and as the discussion which Lord Kelvin's statement has started shows the importance of the subject, we reproduce Lord Kelvin's position from the *Nineteenth Century* for June, 1903. He writes :

"I am in thorough sympathy with Professor Henslow in the fundamentals of his lecture; but I cannot admit that, with regard to the origin of life, science neither affirms nor denies Creative Power. Science positively affirms Creative Power. It is not in dead matter that we live and move and have our being, but in the creating and directing Power which science compels us to accept as an article of belief. We cannot escape from that conclusion when we study the physics and dynamics of living and dead matter all around. Modern biologists are coming, I believe, once more to a firm acceptance of something beyond mere gravitational, chemical and physical forces; and that unknown thing is a vital principle. We have an unknown object put before us in science. In thinking of that object we are all agnostics. We only know God in His Works, but we are absolutely forced by science to believe with perfect confidence in a Directive Power—in an influence other than physical, or dynamical, or electrical forces. Cicero (by some supposed to have been editor of Lucretius) denied that men and plants and animals could come into existence by a fortuitous concourse of atoms. There is nothing between absolute scientific belief in a Creative Power, and the acceptance of the theory of a fortuitous concourse of atoms. Just think of a number of atoms falling together of their own accord and making a crystal, a sprig of moss, a microbe, a living animal. Cicero's expression 'fortuitous concourse of atoms' is certainly not wholly inappropriate for the growth of a crystal. But modern scientific men are in agreement with him in condemning it as utterly

absurd in respect to the coming into existence, or the growth, or the continuation of the molecular combinations presented in the bodies of living things. Here scientific thought is compelled to accept the idea of Creative Power. Forty years ago I asked Liebig, walking somewhere in the country, if he believed that the grass and flowers that we saw around us grew by mere chemical forces. He answered, 'No, no more than I could believe that a book of botany describing them could grow by mere chemical forces.' Every action of free will is a miracle to physical and chemical and mathematical science.

"I admire the healthy breezy atmosphere of free thought throughout Professor Henslow's lecture. Do not be afraid of being free thinkers! If you think strongly enough you will be forced by science to the belief in God, which is the foundation of all religion. You will find science not antagonistic but helpful to religion."

The statement of Lord Kelvin on the important question of the source of life has occasioned a long and sharp controversy in the *London Times*. In the columns of the *Times* he has been attacked by botanist, mathematician, zoologist, physicist, biologist, etc.

Two important deductions may be drawn from reading the opponents of Lord Kelvin; the first is, that while they deny Creative Power, they offer no alternative, and secondly, their reason for not accepting Creative Power is that they cannot conceive of it. The first shows clearly the limitations of biology as such and its ignorance of the origin of its own subject matter. Ignorance of a thing can never become an argument for its non-existence. Inadequacy of the means offered by a particular science must be supplemented by other legitimate means furnished by some other legitimate branch of science in order to reach the conclusion which the first science unaided could never attain. In the case under consideration the facts furnished by biology must be aided by a process of logical reasoning upon those facts and the logical conclusions must be admitted by every reasonable mind.

This brings us to the consideration of the second deduction of the opponents of a Creative Power, namely, that they cannot admit such a power because they cannot conceive of it. This is a most startling statement in the light of scientific methods in every department of science. If there is one thing that any scientist demands as a matter of belief and to which he appeals in all his investigations it is the principle of causation. Remove this principle and what a sorry picture is presented by the investigator in the laboratory!

Now those scientists who rigorously demand the application of this principle in every step of scientific investigation should logically demand it to explain the existence of the universe. Hence to say

that they cannot conceive of a Creative Power is to abandon at a crucial point the principle of causation, the chief incentive to scientific investigation.

Probably scientific atheism is based largely on the misunderstanding of the two great generalizations of modern science. These great laws are the conservation of energy and the conservation of matter. But in reality what do they mean? Simply this, in our hands we can neither destroy or create matter or energy, and that we believe on the principle of causation that the same effect always follows everywhere the same cause, and hence we generalize. But whence matter and energy? Are we to deny the principle of causation here?

It is refreshing to find such princes of science as Kelvin, Newton, Müller, Locke, Schwann, Pasteur, Liebig and others deeply drinking at the fount of science and impregnated with the true philosophy of science defending from scientific grounds the existence of God in opposition to the agnosticism of Huxley, the materialism of Tyndall, the atheism of Clifford, the skepticism of Fitzjames Stephen, the positivism of Frederic Harrison and the pantheism of Haeckel to understand that science must perforce soon cease her dogmatism, confine herself to her own legitimate sphere and become as she must by right the handmaid of religion.

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Book Reviews.

HISTORY OF THE GERMAN PEOPLE AT* THE CLOSE OF THE MIDDLE AGES.
By Johannes Janssen. Vols. V. and VI. Translated from the German by
A. M. Christie. B. Herder: 17 South Broadway, St. Louis, Mo. 1903.

A very delicate and much appreciated compliment was paid to the present writer by Mr. Herder, of St. Louis, in forwarding to him the first advanced copy of the English translation of the third volume of Monsignor Jannsen's *History of the German People*, directly it reached this country. This act of courtesy enabled the *Review* to acknowledge receipt of the two volumes in our April number and to promise an extended notice in the current issue. It also gave us full leisure to re-read in print what we had already carefully perused in manuscript.

It may be remembered that we passed some severe strictures upon the translation of the previous volumes; indeed, in view of the fact that the translator (a circumstance then to us unknown) is a lady and a non-Catholic, we must pronounce our criticisms ungallant.

In the course of our remarks upon the version of the second volume, making volumes III. and IV. of the English edition, we had what may be styled the impudence to suggest that "the translation should be carefully overlooked by competent persons," and that "we ourselves would be only too glad to give our services gratuitously, if called upon." These jaunty phrases, so easily written, were destined to involve us in many weeks of severe labor. The distinguished publisher took us at our word, and there was nothing left for us but to redeem our promise. Whether, and how far, our intervention has issued in the improvement of the version, are questions the decision of which we must reserve to the proper tribunal. To us it was a labor of love; and we are not at all disposed to regret the time and anxiety we devoted upon this masterpiece of Catholic historical science, the incomparable excellence of which can be appreciated only by the close study which we were compelled to expend upon it.

Before assuming a fair share of responsibility for the two volumes before us, we may be permitted to state that the first part of this fifth (English) volume came to us already paged, leaving us but a scant opportunity of making revisions. However, as one main source of dissatisfaction with a generally faithful rendering of the original was the omission of important notes, this defect was easily

*This ought to be *from* or *since*.

supplied by throwing the more essential of them into the form of an appendix. For some of these we apprehend the reader will be grateful, as they throw a great light on the text.

We shall draw attention to a few minor inaccuracies before proceeding to the immediate subject of our remarks. It will embarrass some of the readers to find John Frederick styled "Saxon Elector" (p. 42) in the year 1525, the year in which his father John, "the Constant," succeeded the Elector Frederick, John's brother and John Frederick's uncle. At that early period, and until John's death in 1532 this doughty champion of Lutheranism, known to his admirers as "the Magnanimous," was Electoral Prince, or *Kurprinz*, as Janssen correctly terms him.

On page 49 mention is made of an important meeting held at Dessau by *four* princes who had resolved to stand firm for the ancient faith against heresy. As the narrative proceeds we discover that there must have been *five* princes in this Catholic league. If we turn to the original, we find that the name of Archbishop Albert of Mayence has dropped out. So too, on pages 37 and 57, it will puzzle many readers to understand what form of government was in vogue at Nuremburg. On the former page the translation speaks of a "Margraviate of Nuremburg," which never existed in that aristocratic commune. In the second passage very extensive powers are attributed to a *magistrate*. The reader will possibly surmise that the latter version is a poor rendition of the German *Rath*, or Town Council, and such is the case. The passage on page 37 will become intelligible by reading "the Margrave," that is, Casimir, "and Nuremburg." Some of these inaccuracies may conveniently be laid to the charge of the defenceless printer, who, even if innocent in some particulars, deserves punishment for divers obvious slips, as, for instance, for changing our legibly written *priest* into *period* on page 280, line 19, and for several errors in the matter of figures. Witness page 232 of volume sixth, where he gives the Protestant League 46,000 cavalry instead of 4,600. With 46,000 *Reiters*, the Smalcaldeners would have swept the Imperialists from the face of the earth. On the other hand, the 40,000 persons who received Holy Communion at Cologne on the occasion of the election of Ferdinand to be King of the Romans (page 323 note) are reduced by the printer to 10,000. Either figure is large enough to stagger the imagination and proves beyond peradventure that vast multitudes of Germans remained loyal to the ancient Church. These are slips which may easily be remedied by the list of *errata-corrige* which is needful at the end of every valuable book. There is one important mistranslation to which we wish to draw the earnest attention of the reader. It occurs on page 74 of the fifth volume and relates to

the famous Recess of the first diet of Spires, A. D. 1526, which has been a bone of contention for four centuries. Since the Germans themselves have found so great a difficulty in understanding the passage, we cannot blame Miss Christie for failing to render it satisfactorily in English. The German is no easy language to translate at any time, even where the Teutonic brain is making an honest endeavor to transfer the offspring of its convolutions to pen and paper. Who, then, shall follow its meanderings when, of set purpose, it undertakes to "wrap up sentences," not, indeed, in *unskilful*, but in *eminently skilful* "words?"

To state the matter very briefly: The Imperial Diet which opened at Spires, June 25, 1526, received a communication from the Emperor, Charles V., then absent in Spain, in which he sternly commanded the enforcement of the Edict of Worms, whereby Luther and his heresies were outlawed and condemned. This edict had been very imperfectly executed; in some parts of Germany it had, indeed, been openly disregarded. Several of the Princes, notably John of Saxony and Philip of Hesse, had made public profession of Lutheranism; in many of the Free Cities of the Empire the Catholic religion had been entirely suppressed. A strong Lutheran faction was, therefore, present at the Diet and were determined to resist to the utmost any effort to restrain their "evangelical freedom." Through the skill of their lawyers, they succeeded in so modifying the terms of the *Abschied*, or *Recess*, as to make it read as follows: "*Was das vom Kaiser zu Worms ausgegangene Edict aubelange, hätten sich die Stände einmüthig verglichen: In Sachen desselben, bis zur Abhaltung des Concils mit ihren Unterthanen also zu leben, zu regieren und zu halten, wie ein Jeder Solches gegen Gott und Kaiserliche Majestät zu verantworten hoffe und vertraue.*" Miss Christie translates as follows: "With respect to the edict issued by the Emperor at Worms, the Estates had unanimously agreed that, until the meeting of the Council, they would live, act and rule their subjects *in such wise as each one thought right before God and his Imperial Majesty.*" This is precisely the interpretation placed upon the passage by the Lutheran princes and theologians; and is accepted by Protestant jurists as the legal basis of the *jus reformati* claimed by them for the civil power. Nor were they slow to put the principle into practice. Within six weeks the energetic Landgrave Philip "the Magnanimous" "reformed" the Church of Hesse "in such wise as he thought right," but with scant regard for the views either of God or of the Emperor. Other princely and municipal potentates followed in quick succession; so that, ere long, there were as many independent territorial churches as Protestant magnates in Germany. Now, it is one of Janssen's most meritorious achievements, that he has

convinced even Protestant historians that the official Protestant interpretation of this momentous passage, even though accepted by Ranke, is utterly baseless. It is, indeed, quite at variance as well with the letter as with the spirit of the Recess of Spires. What the Lutheran jurists succeeded in persuading the Estates to agree to "unanimously," was an engagement (which said jurists and their masters had no intention to keep) that all the Estates of the Empire would live, act, and rule their subjects *in such wise as each one should hope and trust that he might answer to God and his Imperial Majesty.*" Or, as the translation says on page 198, they should act "in such way as they thought they could justify before God and the Emperor." There was no question, then, of what each one "thought right," but of what the Emperor thought right; and Charles had made known his views and wishes in no uncertain manner. Even had Charles, therefore, confirmed this Recess, he would not have given a legal basis to the novel doctrine of state supremacy in matters of religion. But, on the contrary, he repudiated it from the first, and "struck it out, revoked and annulled it" at the second Diet of Spires in 1529, and it was by their protest against this action of the Emperor that the Lutherans obtained the name of *Protestants*. The Catholics were evidently outwitted; nor was this the only time that they weakened their cause by endeavoring to reconcile the irreconcilable. The Lutheran princes and cities did "what they thought right," suppressing the Catholic worship, confiscating Church property, introducing a new religion of their own devising, and leaving to their subjects the alternative of conforming or of going into exile.

It is this sad story of the destruction of the Catholic religion in Germany and neighboring provinces that forms the subject of the narrative in the two volumes before us. Opening with the year 1525, when Lutheranism had passed beyond the early stage of literary incubation to become a permanent political institution, the year which witnessed the firm establishment of princely despotism upon the failure of the insurrection of the peasantry, it tells the story of the thirty dismal years which closed with the patched up "Religious Peace of Augsburg" in 1555.

The superiority of Jannsen's history of the Reformation over all competitors, even Ranke's, is due to the calmness with which he addresses himself to his task. In this respect he is the typical historian of the best German school; with this difference, that he discusses the agents and events of the Reformation with the same "objectivity" which is the characteristic of German historians when treating of all subjects *except* the Reformation. With the Lutheran historians generally the subject of Luther and his revolution is too sacred for stern analysis. It is a subject so intimately interwoven

with their religious and patriotic instincts, that in dealing with it their reasoning powers seem to be for the time paralyzed. This is all the more striking because their conclusion is in flagrant contradiction to their premises. For some generations German research has busied itself with the study of Catholic progress in the Middle Ages. If the old Protestant tradition that, "under the Papacy," the world sat in utter darkness, ignorance and heathenism, has been dispelled, this has been largely owing to the severe labors of German antiquarians and historians. When, therefore, the first volume of Janssen's *History of the German People since the Close of the Middle Ages* made its appearance, the volume in which he so eloquently described the flourishing condition into which eight hundred years of Christian civilization had brought the dear old Fatherland, Protestants vied with Catholics in giving a hearty welcome to the work of so learned and patriotic a priest. We are told that the book obtained a readier and more extensive sale in the Protestant than in the Catholic sections of Germany. Quite different was the reception which the second volume met with, the volume in which Luther and the other revered "Fathers of the Protestant Reformation" were presented to the reader as they really "lived, acted and ruled their subjects." For years pulpit and press groaned with vituperation of Janssen; the real, old-fashioned, inarticulate rage of Martin himself, which he left as a sacred inheritance to his followers in his historic utterance: "*Impleat vos Dominus odio Papae.*" But, undismayed by the senseless clamor, Janssen kept the even tenor of his way, only condescending to write "A Word to My Critics," followed up by "A Second Word," two little books which made many a Lutheran Goliath feel very uncomfortable.

There are many traits of resemblance between Janssen and our immortal Lingard; the same indefatigable industry; the immense erudition which leaves no scrap of testimony unnoticed; the same judicial fairness of mind which permits facts to speak for themselves and reserves the interpretation of them to the reader. Another great advantage possessed by these two historians was their thorough acquaintance with Catholic faith and practice, enabling them to distinguish between the essential and the accidental. It is the lack of this familiarity with the doctrines and morals of Catholics which is the ever-recurring source of weakness and of ludicrous blunders on the part of even the best-meaning of Protestant writers. It never seems to occur to these writers, some of whom devote years to the study of pagan religions, that a short time spent in learning the true teachings of the Catholic Church from approved authors would be an invaluable aid to an understanding of the course and progress of Church history.

Janssen has been mildly criticized by no less authoritative a master than Dr. Pastor for not having brought forward into sufficient prominence the part played by "German hatred of the Roman Curia" in advancing the cause of Lutheranism. But, with all possible deference to Dr. Pastor, we feel that Janssen is nearer right than his critic. The more profoundly one studies pre-Reformation times in Germany, the more one is persuaded that the mental attitude of the German population towards the Holy See was one of deep affection and sincere reverence. The very fact that a people so reluctant to pay tribute of any kind should be so eager to procure Papal indults and indulgences, is the most convincing of proofs that the German people were passionately attached to the See of St. Peter. The ease with which the Curia raised funds in Germany for any good cause, whilst the civil power found it well-nigh impossible to obtain money for the essential needs of government, is far from arguing the existence of any "hatred of Rome." True, there existed real and imaginary "gravamina." But Janssen's true historical instinct preserved him from making them very prominent elements in his estimate of the causes of the Reformation. The anti-Roman sentiment, in Germany as in England, was not a *cause* but an *effect* of the Reformation. Incendiary pamphlets and speeches, modeled after Luther's demagogic appeal "To the German Nobility," *created* an anti-papal feeling which, until then, had existed only in an extremely limited circle. We ourselves can remember the ease with which a peaceful population was lashed into a warlike fury by the efforts of a sensational press. Quite similar was the revulsion of popular feeling at the time of the grotesque "Reformation."

To us it seems that the only vulnerable point in Janssen's presentation of German history at the beginning of the sixteenth century is his evident bias towards the House of Hapsburg. This is too large a subject to be treated here; but it is our humble opinion that neither the visionary Maximilian nor his calculating grandchildren, Charles and Ferdinand, deserve the eulogies which our author pays them. The prodigious growth of Hapsburg power and influence could not but excite universal apprehension and antagonism; and we are not surprised at the general coalition against Charles V., in which even the Supreme Pontiff was induced to join. This is a topic which will demand attention when Dr. Pastor brings out the long-delayed fourth volume of his History of the Popes. We are most decidedly of the opinion that one of the most potent factors in the successful spread of Lutheranism was the unjustifiable attempt of Austria permanently to annex Wirtemberg. This lamentable exhibition of Hapsburg greed was deeply resented by the Bavarian Dukes, not only on the score of state policy, since Bavaria was thus

hemmed in on both sides by her powerful neighbor, but also from motives of sentiment, since the young Christopher, whom the Austrian sought to rob of his inheritance was their sister's child. The fear and hatred aroused in the breasts of the German princes by an act of aggression like this were not apt to be quieted by Charles' magnanimous platitude that he "sought neither gold nor provinces, being abundantly furnished with both." We also believe that few of Janssen's readers out of Germany will be inclined to agree with him in his wholesale denunciation of Francis I., bad as that monarch admittedly was. But this is a matter which more immediately concerns the French than it does ourselves. The wars of France and Germany could scarcely have been avoided, disastrous as they were, not only to the two great nations themselves, but also to the general cause of Christendom. This intense patriotism of Janssen is the only defect that can be found in his book, and it may be doubted that his own countrymen, for whom the great work was intended, will be disposed to censure him for it. In the development of German history it was fated that the nation should be compelled to submit to the hegemony of one or other of its princely houses. It battled for centuries, with foreign aid, to shake off the preponderating influence of Austria, only, in our own day, to submit cheerfully to the yoke of Prussia.

As we intend to deal more in detail with the ground covered by Janssen in these two volumes, we earnestly exhort all our readers to purchase and study them.

J. F. L.

THE SEARCH-LIGHT OF ST. HIPPOLYTUS. *The Papacy and the New Testament in the Light of Discovery.* By *Parke P. Flournoy*, with an introduction by Prof. Walter W. Moore, D. D., LL. D. New York: Fleming H. Revell Company, 1896, pp. 250.

Our sole excuse in taking notice of this worthless little book (apparently the composition of a schoolboy) is that we have been requested to do so by persons whose friendship we value. It is the mission of this Review to concern itself about higher game than Mr. Flournoy and his "search-light." The duty of "catching the little foxes that destroy the vines" we may safely leave to others. We shall limit our remarks to the first eighty-seven pages, in which the writer has turned his search-light on the Papacy of the third century, making the astounding discovery that no such institution then existed. So far as we can make out, he has found that the Roman Church in that age was purely Presbyterian in its constitution. This "discovery" is all the more surprising in view of the fact

that the immediate predecessor of St. Zephyrinus and St. Callixtus, St. Victor, was admittedly "every inch a Pope," and a very aggressive one. Surprising also, since Zephyrinus is the Pope whom the contemporary schismatic Tertullian (ill-naturedly, indeed, but for that very reason a valuable witness) terms Pontifex Maximus, Episcopus Episcoporum. But what is the use of a search-light when it has to operate through the medium of a thick fog? and where, even on the Banks of Newfoundland, can we find fogs as thick as those bred by sectarian prejudice? As an instance, we may notice the effect produced by Tertullian's famous passage on the mind of the Anglican writer of the article, *Zephyrinus*, in the *Dictionary of Christian Biography*. Cardinal Baronius had quite appropriately cited the lofty titles assigned to the Bishop of Rome "as proof of his then recognized supremacy over the whole Church." To this contention the writer in question naively replies that the passage "shows only what the popes asserted of themselves, not what others thought of them!" It will be hard to persuade the unbiased thinker that if Pope Zephyrinus in the year 200 claimed to be Supreme Pontiff and Bishop of Bishops, his claim must have been well founded. But how can we reconcile even this claim with the "discovery" made by the present unknown Columbus that Rome was then governed in ecclesiastical matters by no bishop at all, but by a board of elders? But, of course, any weapon that comes to hand can fairly be thrown at the Pope!

Mr. Fournoy's "search-light," the work called *Philosophumena*, ascribed to St. Hippolytus, is not so modern an invention as one might be tempted to believe who glanced at Fournoy's title page. It has been known to the world for above fifty years, and, so far from being of service to the adversaries of the papacy, is, if not interpolated, dead against them.

To state the matter in few words: The Catholic Church has always held in high esteem two saints who lived about the year 200 — St. Hippolytus and Pope St. Callixtus, or more accurately Callistus. The former was renowned as a valiant defender of the orthodox faith; the name of the latter had been perpetuated by the cemetery which still bears his name. Beyond the fact that both had sealed their Christian profession with their blood, little else was known regarding them. But in the year 1842 a manuscript copy was found in a monastery on Mount Athos of a "Confutation of all Heresies," which the learned world first ascribed to Origen, but which subsequent researches seem to have definitively adjudicated to St. Hippolytus. It is a valuable work, and is known as *Philosophumena*, or philosophizings. But, for all its intrinsic worth, it would never have been used by modern heresy as a "search-light,"

were it not for the fact that, in the last book, the writer makes a virulent personal attack upon St. Callixtus, accusing him of many grave crimes, prominent among which are heresy and the formation, "in antagonism to the Catholic Church," of a schismatical "school." Since St. Hippolytus styles himself a bishop, the inference is natural that he was the leader of a sect in opposition to the generally recognized Pope. It cannot be wondered at that Cardinal Newman and Catholics generally should have pronounced it "simply incredible" that a saint so highly honored by the Roman Church should have been the earliest antipope. But it is the incredible that oftenest happens, and since the thorough investigations made by Dr. Döllinger and others, the Catholic antiquarians have all but unanimously accepted this solution of a mysterious historical riddle. It was neither the first nor the last time in the history of the Church when two saints came into collision; witness Sts. Peter and Paul, Sts. Stephen and Cyprian, Bossuet and Fénelon. In fact, it takes two earnest men to put up a first rate quarrel. It is the misfortune of St. Callixtus that, like St. Peter, he did not acquaint posterity with the merits of his end of the controversy. We know him only through the "search-light" of his literary opponent. But, even thus, his character has not suffered in the estimation of those who can sit as impartial judges of a long-explored issue. Callixtus, who had been little more than a name in the catalogue of Popes, stands out before us now as a strong personality. It would not be an exaggeration to call him the Hildebrand of his age. Like Hildebrand, he had been for upwards of a score of years the "Papa papae," the power behind the papal chair, guiding and dictating the policy of the Pope with an ability which commanded the respect, whilst it intensified the enmity of his ill-wishers. Like Hildebrand, he was branded by his adversaries as a veritable "fire-brand of hell," the fiendish master and lord of mediocre pontiffs, whom he moulded at will. Like Hildebrand, too, his reputation has been redeemed by the circumstance that we are fairly well acquainted with the controversies in which he was involved. At the then stage in the development of Christian dogma and ethics there were two questions that mainly occupied the attention of thinkers. The first concerned the relation of the Eternal Word to God the Father, the profoundest of all mysteries. As was but natural, at a time when theology was in its infancy and had not yet sharpened its scientific tools, Catholic speculation was drifting about in the endeavor to avoid two dangerous extremes, that known as Sabellianism, which confounded the distinct personality of the Father and the Son, and that known in a later age as Arianism, which denied the very divinity of the Son of God. St. Hippolytus, the friend of Origen, used forms of expression

which, a hundred years later, would be considered favorable to Arianism. Sabellius was already at work formulating his "monarchical" doctrine, to be condemned by St. Callixtus. The fact that Pope Callixtus excommunicated Sabellius, whilst, on the other hand, he is upbraided by St. Hippolytus as refusing to commit himself to either side of the controversy, is a consoling evidence to us that then, as always, the Roman See was guided by the Holy Spirit along the path of truth. For will any one dare assert that the course held by Pope Callixtus has not been finally approved by the entire Catholic world? That a Pope who, so far as we can learn, laid no claim to literary ability, should have held the balance so fairly between antagonistic theologians, is a glorious proof of papal infallibility.

The second question which engrossed the minds of Christians at that early age regarded the proper method of dealing with public sinners. St. Hippolytus, like Tertullian, was an extreme rigorist in morals; in fact, one of the founders of what was later known as the Novatian school. These moralists did not believe in showing any mercy to repentant sinners, and they maintained especially that adulterers should be excluded from church and sacraments until their dying hour. Against these extremists, Callixtus planted himself as a wall of brass. We discover through the "search-light" of St. Hippolytus that he it was who dictated that famous decretal in the time of St. Zephyrinus which roused the bile of Tertullian. Now, dear Mr. Flournoy, tell us who was in the right, Callixtus the humane or Hippolytus the rigorist? One more remark and we are through. St. Hippolytus, we are told, can have known nothing of the Vatican doctrine of papal infallibility or he would not have opposed his opinions to those of the Pontiff. Can anything more silly be dreamt of? Unless (which is possible enough) the two chapters of St. Hippolytus are an interpolation, he looked on himself as Bishop and Callixtus as an intruder who had "formed a school in antagonism to the Church." He could not have any respect for the opinions of one whom he did not consider to be Pope at all. Why then did and does the Roman Church venerate St. Hippolytus? For the same reason that she venerates St. Cyprian, of whom St. Augustine so beautifully says that his glorious martyrdom blotted out the last traces of human infirmity. That extreme clemency of the Church of the Romans, of which St. Callixtus was so noble an exponent, prompted her to remember the transcendent merits of her wayward son, and to consign to the deepest oblivion his temporary lapse. In this case the motto was reversed, and "the good the man did live after him, the evil was interred with his bones." Farewell to thee and thy "search-light," Mr. Parke P. Flournoy.

THE QUESTION-BOX ANSWERS. Replies to Questions Received at Missions to Non-Catholics. By Rev. Bertrand Conway, of the Paulist Fathers. The Catholic Book Exchange, 120 West Sixtieth street, New York.

Recalling the abundance of good books, great and small, which have been published, especially in recent years, to cover what may be called the field of popular apologetics, it might seem that a new volume of similar scope could scarcely possess any distinctive merit. We venture to say that any one entertaining this opinion will reconsider it after a careful inspection of the volume just published by a Paulist Father, old, if not in years, in missionary experience. Within the six hundred pages of this volume, now published with the *Imprimatur* of the late Archbishop Corrigan, will be found a full exposition and defense of Catholic doctrine and discipline, together with straight, concise and effective replies to almost every kind of objection urged by non-Catholics in this country. Its chief and characteristic excellence, however, lies not so much in its extensive range as in the thoroughly appropriate way in which the subjects are treated. Who that has had much to do with outsiders seeking information about the Church has not met with the disappointment of finding that some excellent book which he recommended as just the thing for the mental attitude of some prospective convert, failed to hit the mark? The reason is not far to seek. Many such books are written too much from the insider's point of view. They are admirable statements of doctrine and history for the children of the house; but they do not aid the wanderer who is seeking through devious ways to reach the door from the outside. Their authors too often lack the mental insight and the sympathy requisite to put themselves in the position of the enquirer, and thus to see the obstacles in the distorted perspective in which they appear to him—obstacles sometimes serious, oftener whimsical and imaginary, but none the less serious. No mere logical completeness in the marshalling of invincible arguments will effect much, unless combined with an appreciation of the personal attitude of those to whom they are addressed. Conversions are effected not by abstract statements of abstract truth to an abstract man; but by the application of light to the particular obscurity, misapprehension or perversion that is troubling the concrete individual who is to be dealt with according to his idiosyncrasy. Sometimes it may even be prudent to borrow a hint from Solomon, who tells us to answer a fool according to his folly.

The plan adopted by Father Conway of taking an immense quantity of the queries and objections that, during several years, have been addressed through the question-box to the Paulist Fathers on their missionary campaigns, classifying them and giving replies to them, is certainly the best that could be devised for reaching the non-Cath-

olic mind. Fully equipped by his university training with the science requisite to cover the whole theological and historical field *inoffenso pede*, Father Conway brings his knowledge and experience to bear upon the matter in hand, and always with accuracy and precision. To use a familiar and expressive phrase, he always hits the nail on the head. Two or three apparently typographical errors which have eluded the vigilance of the proof-reader will, we presume, be corrected in a future edition. To all the more important questions is appended a copious list of works for consultation, and, besides the general index of matters there is another of the authors quoted. The worthy result of much industry and knowledge, both theoretical and practical, there is every reason to expect that the book will be the instrument of much spiritual good.

And the practical shape of this will not only be in aiding missionaries in active field work to manage their question-box—a prominent feature of every mission to non-Catholics. It will also place our regular pastors in a position to imitate those of their brethren who have set up that very useful means of reaching our separated friends in the course of parish ministrations. Many parish priests already answer questions at Sunday evening services. Why not all? Father Conway's book will greatly help a favorable answer. It should be noticed that the bound copy sells for one dollar and the paper covered edition at the rate of seven dollars and a half a hundred, thus helping the distribution of the work itself among all classes. Besides its use among priests it is an admirable manual of Catholic doctrine.

ÉTUDES SUR ST. JÉRÔME. Par D. Léon Sanders, O. S. B. Bruxelles et Paris (chez Lecoffre), 1903, p. 394.

There is a letter amongst the correspondence of St. Augustine with St. Jerome which illustrates at once the virile character of the writer and the high estimation in which the author of the Vulgate was held by his contemporaries. St. Augustine is sending his interpretation of a passage from the Epistle of St. James (ii., 10), and asks St. Jerome's opinion thereon. The letter ends thus: "If your learning finds aught to reprehend in this commentary I beg you to write it to me and fear not to correct me. For he were indeed a sorry man who would not wish to hearken to one that hath labored with so much edification and who would not for the great success of your works thank the Lord our God. Therefore if instead of teaching others what I know myself I should rather learn from any one what it is useful for me not to be ignorant of, with how much more reason ought I not to accept with good will that act of charity

at your hands. You whose knowledge hath been an instrument of which the Lord hath made use to facilitate the study of the Sacred Letters beyond what hath been done up to this day."

If the learned bishop of Hyppo indicates in these lines the position of St. Jerome in the biblical world of his time, Leo XIII. voices the corresponding esteem on the part of serious Scriptural scholars in this latter age when in his Encyclical on biblical studies he writes of St. Jerome: *A singulari Bibliorum Scientia magnisque ad eorum usum laboribus nomine Doctoris maxime p[re]a[er]eonio Ecclesiae est honestatus.* True it is great progress has been made in biblical science since the fourth century; nevertheless such was the genius, indefatigable patience in research, and acute critical sense of St. Jerome that no one who would understand the Bible can afford to be ignorant of his teaching on its vital problems. Dom Sanders has facilitated in no small degree the student's access to that teaching by the scholarly *Etudes* in the volume at hand. He treats in the first place of the Saint's opinion on that burning question, the inspiration and veracity of the Sacred Writings—a subject of peculiar interest in view of the fact that some scholars appeal to St. Jerome in support of the opinion that the Bible contains some material errors ascribed to ignorance on the part of the sacred writers. The Saint's opinion also on the canonicity of the deuterocanonical books—as to which there have been *tot sententiae quot capita*—and his acceptance of the term *Apochrypha*, especially in connection with the famous Gospel *juxta Hebraeos*: his teaching likewise in regard to the distinction between the Episcopate and the Presbyterate; his attitude towards Origen and the Origenic controversies—all these are discussed at some length and with considerable erudition. Though the direct aim is to reveal the mind of St. Jerome, yet by many apposite side lights and copious bibliographical references the author prepares the way for a study of the several questions in themselves and apart from their relations to St. Jerome. The work has therefore an interest not only for the specialist, but likewise for the general reader who would be liberally informed on the important topics with which it is occupied. This general serviceability is still further enhanced by the brief introductory sketch of the life and works of St. Jerome which prepares the reader for a more intelligent appreciation of the special problems discussed.

"LES SAINTS:" St. Victrice. Par E. Vacandard, p. 186. Ste. Hildegarde. Par Paul Franche, p. 212. La Bienheureuse Marie de l'Incarnation. Par Emmanuel de Broglie, p. 211. Paris: Victor Lecoffre, 90 Rue Bonaparte, 1903.

reflects in its own way a type which while portraying the sublime perfection attained by an individual soul exemplifies no less a special order of instrumental efficiency employed by Divine Providence for the spiritual enlightenment and regeneration not only in the day of the Saint's earthly sojourning, but for all subsequent time.

The first type is that of the Christian bishop—the story of a man who from paganism and the camp of the Roman legions rose to the heroic devotedness of a saintly pastor who shed the lustre of his wisdom and virtue over the early Church in Gaul. The Abbé Vacandard has presented this type in the person of St. Victrice with a sympathy and vividness that make it stand out to the life in the mind of the reader.

The second type is that of the contemplative whom abiding union with God had raised to sublime heights of mystical intuition, and who reflected to the world of her day secrets of the Unseen that are given but seldom even to the chosen heroes of holiness to enjoy. St. Hildegarde was, however, even more than a mystic and a seer of things divine. She wrought above all—and that indeed just by reason of her abiding union with God—a most potent influence on the troubled age in which she lived. M. Frauche treats with marked reserve the legendary features and the mysterious facts of St. Hildegarde's life. He is more explicit and confident in describing the great social work she accomplished, especially in bringing about a reformation in the lives of some ecclesiastical dignitaries of the twelfth century.

The third type is that of the valiant woman who shed the influence of high virtue in the principal spheres of woman's activity—in the home as the ideal wife and mother; in courtly society as an example of true refinement and gentleness of manner, the fragrance of Christian charity; and in the cloister as the model of the religious life. Nothing that the Wise Man wrote in praise of the *Mulier fortis*, but what might as truly be said of Madame Acarie. The Prince de Broglie portrays this heroine of Christian sanctity with that fullness and freshness of color, delicate sense of proportion and true instinct for the supernatural which have made his many other contributions to hagiography warmly appreciated by so many readers in and out of France. As one studies the portrait and realizes that it represents a character of the Reformation days—times when the Church is said to have lapsed so deeply into the universal sink that even the Reformers struggled vainly to drag her forth—one marvels the more that such heroines as St. Frances of Rome, St. Jane Francis de Chantal, St. Teresa and the subject of the present biography could be the daughters of a mother who had lost the fecundity of holiness!

We need hardly say that these three accessions to the series *Les*

Saints are what the French call *well documented*, solidly established on reliable sources, and yet not so congested with erudite detail as to leave no room for an appreciative portrayal of the soul life of their subjects—a characteristic which, we believe, cannot be attributed to all the other companion volumes of the series.

THE PHILLIPPINE ISLANDS 1493-1803. *Explorations by Early Navigators, Descriptions of the Islands and their Peoples, their History and Records of the Catholic Missions, as related in contemporaneous Books and Manuscripts, showing the Political, Economic, Commercial and Religious Conditions of those Islands from their earliest relations with European Nations to the beginning of the Nineteenth Century.* With maps, portraits and other illustrations. Fifty-five volumes large 8vo., about 325 pages per volume. Vol. 2, 1521-1569; Vol. 3, 1569-1576; Vol. 4, 1576-1582. Edition limited to one thousand numbered sets. Price, \$4.00 net per volume. Cleveland: Arthur H. Clark Co.

The Messrs. Clark's great work on the Philippines is progressing rapidly and successfully. Each volume that comes from the press is an important contribution to the important question that is engaging the attention of the thinking world at the present time and will continue to engage it for many years to come.

In these volumes the true unvarnished history is being written, and the earnest student of the question must come to them, or else spend much time, labor and money in original research before he finds the truth.

Volume 2 deals with the several attempts made to reach the Philippine Islands and establish a settlement there. The stories of Spanish enterprise, bravery and sacrifice for which that nation has always been noted are repeated. The old rivalry with Portugal continues. The anxiety for the eternal welfare of the conquered ever goes hand in hand with the thirst for the temporal advancement of the conqueror.

"In volume 3 the documents presented cover the last three years of Legazpi's administration in the islands, the governorship of Guido de Levezaris, and the beginning of that of Francisco de Sande. In the brief period which we thus far survey, the first decade of Spanish occupation (1565-75), are already disclosed the main elements of the oriental problem of to-day: the conflicting claims of powerful European nations, striving for advantage and monopoly in the rich trade of the East; the eagerness of unscrupulous Europeans to subjugate the wealthy but comparatively defenseless Chinese people, and the efforts of the latter to exclude foreigners from their country; the relations between the dominant whites and the weaker colored races; the characteristics, racial and social, of the various oriental peoples; the Chinese migration to the islands; and the influence of the missionaries."

Volume 4 contains the first official report sent by Governor Francisco de Sande to the home government dated June 7, 1576. It is a very interesting document containing descriptions of the people and their characteristics, customs and habits, and of the country and its climate which he says is healthful for those who live temperately.

Among other interesting documents we find a translation of the Papal Bull establishing the See of Manila dated February 6, 1578.

As the work grows it increases in interest. This will be more noticeable as conditions change and assume the aspect which they bear in modern times. It is to be hoped that all educational institutions in the United States are placing it on their shelves.

PRAELECTIONES PHILOSOPHIAE SCHOLASTICAE. Auctore P. Germano A. S. Stanislao, C. P. P. Vol. I., complectens Logicam et Ideologiam. Pustet Neo-Eboraci, 1903, p. 490.

We have omitted here the words in the title which indicate those for whom these lectures on scholastic philosophy are especially designed, *tironibus facilis methodo instituendis accommodatae*. There is always of course a sufficient reason for multiplying text-books when they serve the purpose of the individual professor and his class for whom he prepares them. When, however, the new book appeals to a wider circle than the students for whose benefit it was proximately designed, it should offer some special features which are not just as well represented in preexisting books of its class. This requirement the present volume will have no difficulty in satisfying. It is ample reason for a book's being that it makes the way to the mastery of a difficult subject particularly easy; and this the work at hand succeeds in doing—easiness being of course measured relatively to the difficulty of scholasticism. There is nothing indeed that is new in the author's method. It is just the analytico-synthetic method, which is as old as Aristotle, nay as old as man; for man's very structure and spontaneous mode of acting is and must be analytico-synthetic. His senses are analytic, his soul and mind synthetic. Both must conjoin to make the man as well as to construct science. The author's success lies in the happy use he has made of this dual method. It stands out in clear relief in the ground lines of his work and it pervades no less markedly every one of its parts. The general matter is divided on the well-known scholastic plan and is then portioned out into lectures (sixty-one in the volume at hand). Every lecture is presented first analytically and then synthetically in the epilogue. The student is thus carried through the detail of each lecture and is then shown the whole in a bird's eye view at its close. Another title of merit not usual to

works of this kind is the synoptical outline of the history of philosophy, which so to say orients the student at the start, and the table of scholastic distinctions and *adagia* at the end which help to develop his insight and precision of thinking. The second volume of the course, which is in press, will embrace *Ontology and Cosmology*, and the third, promised for the near future, *Psychology, Theodicy and Ethics*. This latter volume will doubtless be rather larger than the present, if its vital subjects are to have breathing space.

HISTORIC HIGHWAYS OF AMERICA. The Exploration, Conquest and Development of America, based upon its Highways of War, Commerce and Immigration. By *Archer Butler Hulbert*. Vol. 3, Washington's Road (Nemacolin's Path). The First Chapter of the Old French War, pp. 215. Vol. 4, Braddock's Road and Three Relative Papers, pp. 213, with maps and illustrations. Vol. 5, The Old Glade (Forbes') Road. (Pennsylvania State Road). The Arthur H. Clark Co., Cleveland, Ohio.

We have here the three latest additions to the very attractive series of sixteen volumes which the Clark Company is bringing out under the general title of the "Historical Highways of America." They introduce us to historical persons and events from a new side, and help us to understand the subject better by giving us a fuller knowledge from the new point of view. Some one has said that the history of the world is written in the lives of its great men. He might be tempted to add, if he saw these books, "and on the roads by which they traveled." These roads constantly speak to us of the important characters who built them and used them in war, in commerce, and in social expansion. The History of America as portrayed in the evolution of its highways is very interesting, and the manner in which the story is told by the author of these monographs adds very much to its attractiveness.

Vol. 5 of the series has a special interest for residents and natives of Pennsylvania. When General Edward Braddock landed in Virginia in 1755, one of his first acts in his campaign on the Ohio was to urge Governor Morris to have a road opened westward through Pennsylvania. It was completed only three miles beyond the present town of Bedford, Pa.

In 1758 Brigadier General John Forbes, who had succeeded Braddock after his defeat and death, marched to Bedford on the new road made by Morris, and thence opened along the general alignment of the prehistoric "Trading Path" a new road to the Ohio. He completed his campaign in 1758 at the price of his life.

This road, fortified at Carlisle, Shippensburg, Chambersburg, Loudon, Littleton, Bedford, Ligonier and Pittsburg, became the great military route from the Atlantic seaboard to the trans-Alle-

gheny empire. By it Fort Pitt was relieved during Pontiac's rebellion and the Ohio Indians were brought to terms. Throughout the Revolutionary War this road was the main thoroughfare over which the western forts received ammunition and supplies. In the dark days of the last decade of the eighteenth century, when the Kentucky and Ohio pioneers were fighting for the foothold they had obtained in the West, this road played a vital part.

BREVIARIUM ROMANUM. Romae-Tornaci. Typis Societ. S. Ioannis Ev. 48mo., 1903. Milwaukee: Wiltzius & Co.

This is the latest and one of the best examples of the small breviaries that have come from the press in recent years. Until quite recently a breviary of this size would have been practically useless, because of the small type, but now paper making and type casting have made such splendid advances that the 48mo. breviary is in daily use. This latest addition to the group is excellent in every respect. It is a little longer than the Mechlin book and not so thick. The paper is thin, but it has such a good body that the impression does not go through. A red border gives the page a dressy appearance, and the type is surprisingly large and clear for so small a book.

The reputation of the makers of the book is very high, but readers must not expect to find so few references in it as are found in the larger breviaries from the same house. That is not possible when size is so important a consideration.

Early in October next we may look for the biography of "The Two Kenricks," on which Mr. John J. O'Shea has been engaged for the past three years. The work will be issued in one volume of about 800 pages. So far nothing more than mere sketches of the two great prelates have appeared. Mr. O'Shea's work will be full, and its authenticity is settled by the fact that the materials have been mainly gathered from the respective archives of Philadelphia, Baltimore and St. Louis—the letters of the brothers themselves and their many friends. His Grace the Archbishop of Philadelphia has gone over the whole work minutely, and will furnish an introduction to the same. The Very Rev. Canon O'Hanlon, who was for many years connected with the late Archbishop Peter Richard Kenrick in St. Louis, has given the author much most valuable material for his work. It will be published in Philadelphia, by Mr. John J. McVey.

Books Received.

- DE MATRIMONIO. *Ad Usum Scholarum ex Summa Theologiae Moralis ex-primum curavit H. Noldin, S. J., S. Theologiae Professor in Universitate Oeniponitana.* 8vo., pp. 218. Neo Ebor: Pustet & Co.
- POLITICAL AND MORAL ESSAYS. By *Joseph Rickaby, S. J., B. Sc. Oxon.* 8vo., pp. 298. New York: Benziger Brothers.
- INTROIBO. A series of detached readings on the Entrance Versicles of the Ecclesiastical year. By *Rev. Cornelius Clifford*, chaplain to the Religious of the Sacred Heart of Elmhurst. 12mo., pp. 304. New York: Cathedral Library Association, 534 Amsterdam avenue.
- HELPS TO A SPIRITUAL LIFE. For Religious and for all persons in the world who desire to serve God fervently. From the German of *Rev. Joseph Schneider, S. J.*, with additions by *Rev. Ferreol Girardy, C. SS. R.* 12mo., pp. viii.-257. New York: Benziger Brothers.
- ST. MARGARET OF CORTONA, THE MAGDALEN OF THE SERAPHIC ORDER. By *Rev. Leopold de Chérancé, O. S. F. C.* Translated by *R. F. O'Connor.* 12mo., pp. xxv.-256 illustrated. New York: Benziger Brothers.
- THE SAINTS. *St. Teresa (1515-1582).* By *Henri Joly.* Translated by *Emily M. Waller.* 12mo., pp. 265. New York: Benziger Brothers.
- THE ART OF LIFE. An Essay. By *Frederick Charles Kolbe, D. D.*, of St. Mary's, Capetown. 12mo., pp. 109. Published by Catholic Truth Society of Ireland. New York: Benziger Brothers.
- WREATHS OF SONG FROM A COURSE OF DIVINITY. By the Author of "Wreaths of Song From Courses of Philosophy." 12mo., pp. 80. Dublin: M. H. Gill & Son.
- THE CITY OF PEACE. By those who have entered it. 12mo., pp. 149. New York: Benziger Brothers. (Catholic Truth Society of Ireland.)
- THE UNTRAINED NURSE. By a Graduate of Bellevue Hospital, New York City. 16mo., pp. 220. Boston: Angel Guardian Press.
- A ROYAL SON AND MOTHER. By the *Baroness Pauline von Hügel.* 16mo., pp. 126, with portrait. Notre Dame: Ave Maria.
- HERO STORIES FROM AMERICAN HISTORY, for Elementary Schools. By *Albert F. Blaisdell* and *Francis K. Ball.* 12mo., pp. 259, illustrated. Boston: Ginn & Co.
- DISCOURSES ON WAR. By *William Ellery Channing.* With introduction by *Edwin D. Mead.* 12mo., pp. lxi.-229. Boston: Ginn & Co.
- THE UNRAVELING OF A TANGLE. By *Marion Ames Taggart.* 8vo., pp. 146.
- THE TALISMAN. By *Anna T. Sadlier.* 8vo., pp. 186.
- THE PILLINGTON HEIR. By *Anna T. Sadlier.* 8vo., pp. 212, illustrated.
- THE SHERIFF OF THE BEECH FORK. A Story of Kentucky. By *Henry S. Spalding, S. J.* 8vo., pp. 223.
- HARRY RUSSELL. By *Rev. J. E. Copus, S. J.* 12mo., pp. 229. New York: Benziger Brothers.
- BACK TO ROME. By "Scrutator." 12mo., pp. 224. St. Louis, Mo.: B. Herder. 1903. Net, \$1.00.
- INSTINCT AND INTELLIGENCE IN THE ANIMAL KINGDOM. By *Rev. E. Was-mann, S. J.* 12mo., pp. x., 171. B. Herder: St. Louis, Mo., 1903. Net, \$1.00.
- ST. EDMUND, ARCHBISHOP OF CANTERBURY. Arranged by *Bernard Ward.* 12mo., pp. xx., 290. B. Herder: St. Louis, Mo., 1903. Net, \$1.60.
- THE FRIENDSHIPS OF JESUS. By *Rev. M. J. Olivier, O. P.* 12mo., pp. 543. B. Herder: St. Louis, Mo., 1903. Net, \$1.50.
- THE GIFT OF PENTECOST. By *Fr. Meschler, S. J.* 12mo., pp. xi., 505. B. Herder: St. Louis, Mo., 1903. Net, \$1.60.
- CATHOLIC LONDON MISSIONS. By *Johanna H. Harting.* 12mo., pp. xi., 270. B. Herder, St. Louis, Mo., 1903. Net, \$2.00.
- THE YOUNG CHRISTIAN TEACHER ENCOURAGED. By *B. C. G.* 12mo., pp. xxii., 381. B. Herder: St. Louis, Mo., 1903. Net, \$1.25.
- GLAUBEN UND MISSEN. Von *Victor Cathrein, S. J.* An essay on the relations between faith and science. 12mo., pp. vi., 245. B. Herder: St. Louis, Mo., 1903. Net, 85 cents.
- JESUIT EDUCATION. By *R. Schickerath, S. J.* 12mo., pp. xv., 687. B. Herder: St. Louis, Mo., 1903. Net, \$1.75.
- HISTORY OF PHILOSOPHY. By *William Turner, S. T. D.* 12mo., pp. x., 674. Ginn & Co., Boston, Mass., 1903.
- DIE KATHOLISCHE KIRCHE IN ARMENIEN. A history of the Catholic Church in Armenia from its foundation to its separation from the Holy See. By *Simon Weber, D. D.*, professor apologetics University of Freiburg. 12mo., pp. 532. B. Herder: St. Louis, Mo., 1903. Net, \$3.10.

